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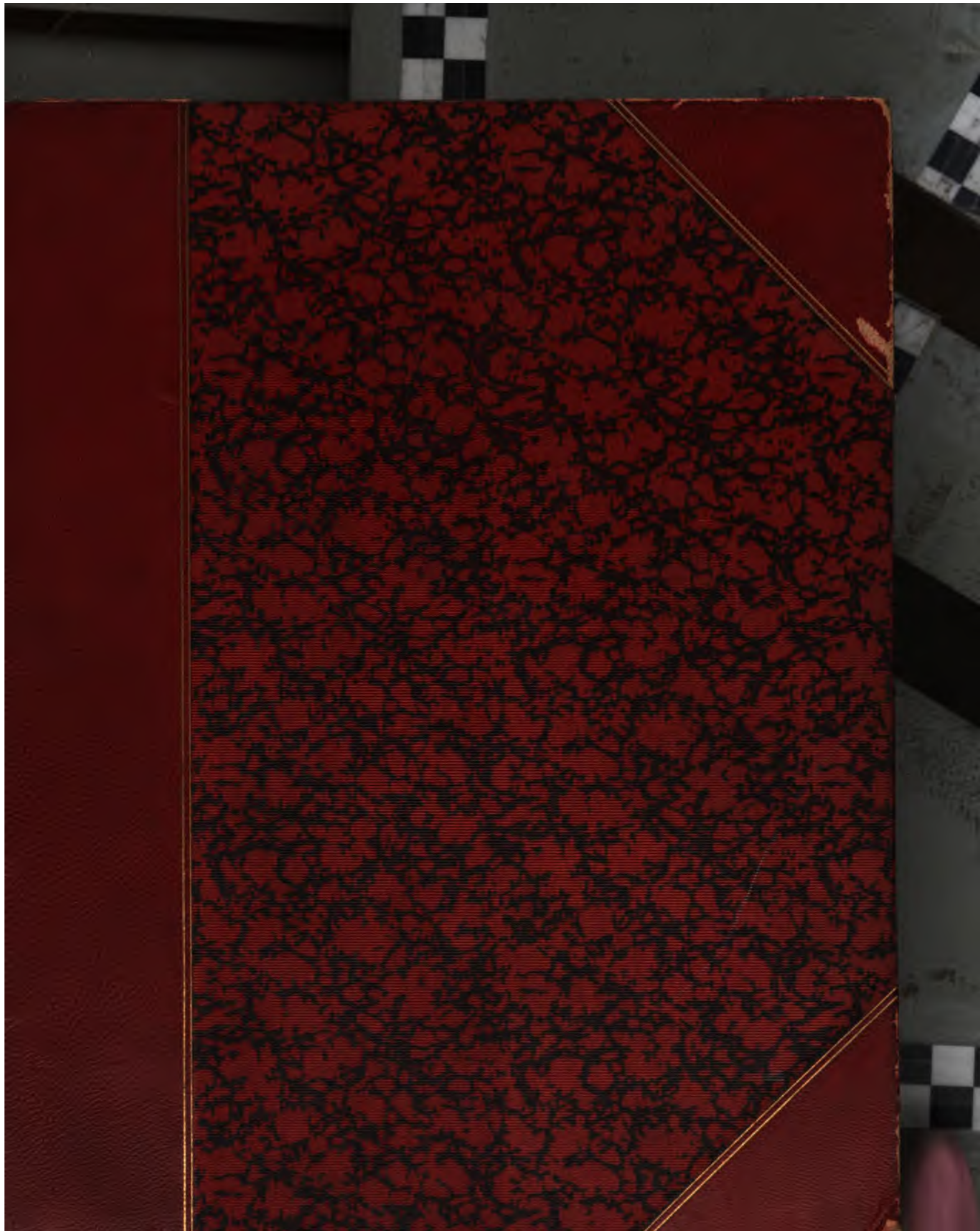
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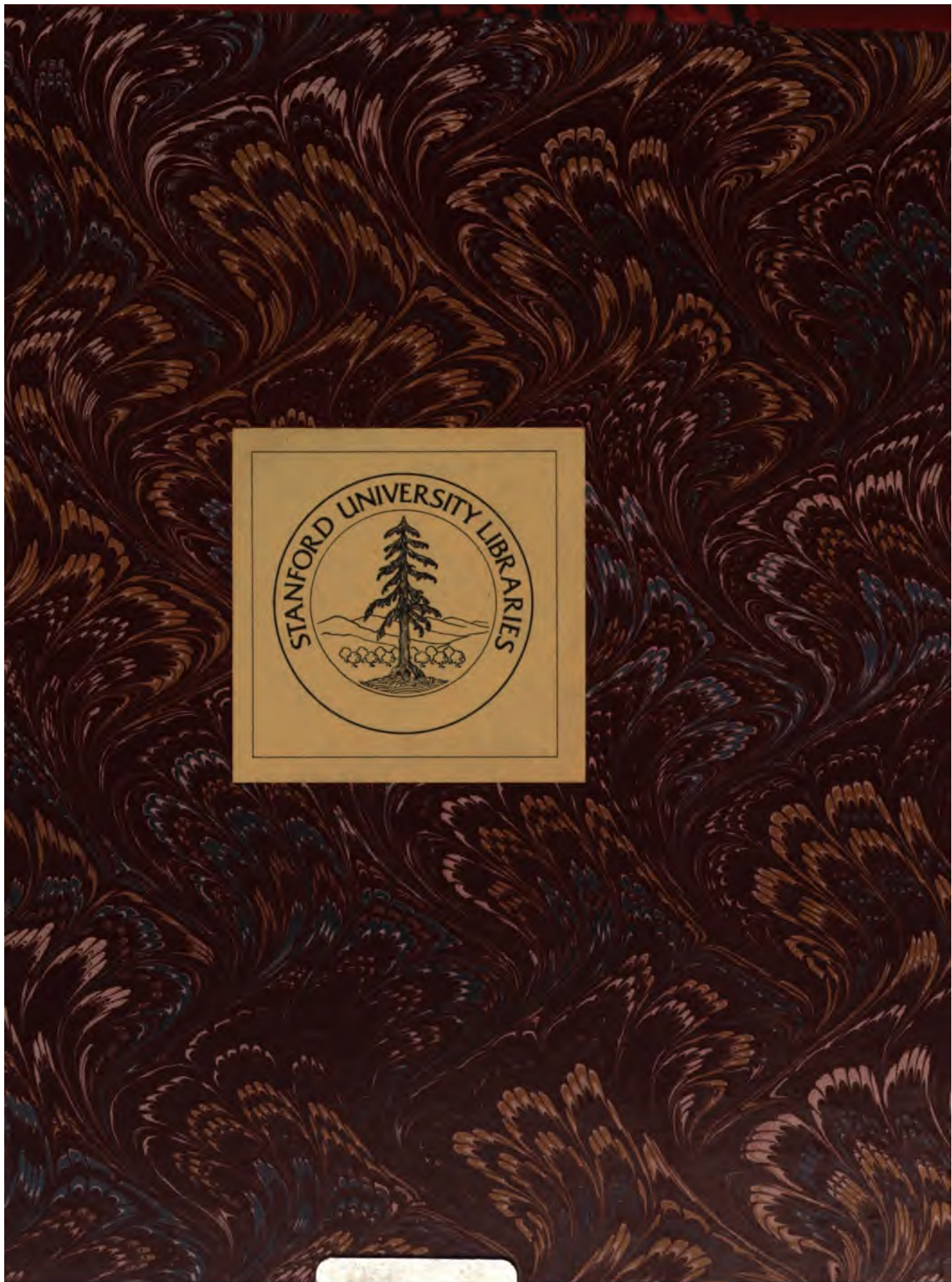
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1499. c.











**THE HISTORIE AND LIFE**  
**OF**  
**KING JAMES THE SEXT.**  
**MDLXVI—MDXCVI.**



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EDINBURGH  
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*John Colville*

THE  
HISTORIE AND LIFE  
OF  
KING JAMES THE SEXT :

BEING  
AN ACCOUNT OF THE AFFAIRS OF SCOTLAND,  
FROM THE YEAR 1566, TO THE YEAR 1596;  
WITH A SHORT CONTINUATION  
TO THE YEAR 1617.

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PRINTED AT EDINBURGH,

MDCCCXXV.



✓ CCMB. 23 - Ph. Det.

AT a Meeting of the Committee of Management of the BANNA-  
TYNE CLUB, held at Edinburgh in the house of the President,  
on the 4th day of July, 1823 ;

Resolved, That " the HISTORIE AND LIFE OF KING JAMES THE  
SEXT : BEING AN ACCOUNT OF THE AFFAIRS OF SCOTLAND  
FROM THE YEAR MDLXVI. TO THE YEAR MDXCVI. WITH A SHORT  
CONTINUATION TO THE YEAR MDCXVII., " be printed for the use  
of the Members, from a Manuscript in the Library of the Marquess  
of Lothian at Newbattle Abbey, collated with other Manuscripts of  
the same Work ; under the superintendence of the VICE PRESI-  
DENT.

DAVID LAING, *Secretary.*





# **THE BANNATYNE CLUB,**

**MDCCCXXV.**

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## PRELIMINARY NOTICE.

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THE narrative which is here given under the title of THE HISTORY OF KING JAMES THE SIXTH, is the composition of an unknown author, if it is not rather the work of several hands, successively continuing the thread of the story, or whose separate compositions were subsequently thrown together by some other compiler ;—a conjecture which is countenanced by certain diversities of feeling and opinion which may be traced in different parts of the book. Be that as it may, it seems apparent from the general tenor of the narrative, that it was written within the period of which it treats ; and the fact is still more certainly indicated by various notes of time which occur incidentally in the course of the story.

Thus, in detailing the circumstances relative to the detention of the Scottish Queen by Elizabeth in 1568, Sir Robert Melvill is described as "*now* Treasurer of Scotland," (P. 28.)—alluding

to the office of treasurer-general which he held from August 1582 till March 1587. Having made the hypothesis of subsequent interpolation, I may be more inclined that the commencement of the work was not much earlier in date than 1582, and could not have been later than 1587. In another passage, under the year 1572, the author mentions "the Earl of Marston that now is"—meaning unquestionably Sir William Douglas of Lachlan, who did not succeed to the earldom of Marston till the year 1586. Treating this also as a part of the original composition, it must be inferred that the work was written in great part at least during the period between 1582 and 1587.

In the formation of the text, as now printed, several manuscripts have been employed or consulted, of which it is not here to give more account.

The most valuable and apparently the most ancient, belongs to the library of the Marquis of Lachlan at Newcastle Abbey. It is a thin volume of 110 leaves, written probably soon after the year 1586, with which it agrees: and although the orthography is often singularly various, yet in account of its greater fitness, and its accuracy in other respects, it has been adopted almost exclusively in the following pages, unless where some palpable defect or obscurity has been supplied or diminished by the readings of the other manuscripts.

Unluckily, however, the first seven leaves of the Newbattle MS. are wanting; and for this portion of the history, which occupies the first twenty-three pages of the following work, recourse has been had chiefly to a manuscript in the possession of Sir George Naylor, Garter King-at-Arms. It is a volume in small quarto, of 228 leaves; and must have been written at least as late as the year 1617, down to which period it has recorded some events, though in a broken and desultory manner. It is, on the whole, less accurate and full than the Newbattle MS., yet its general orthography might perhaps have been adopted with advantage; and besides the additional matter at the close, it has furnished some useful corrections of the text.

A third manuscript, in the possession of the Rev. Dr John Lee, has also been consulted, and partially collated. It is a volume in small quarto, of 137 leaves, and stops short in the year 1594. It may have been written in the earlier part of the seventeenth century; but in general accuracy it seems to be inferior to the Newbattle and Naylor MSS. Its authority, however, has been occasionally preferred, and it has furnished some of the various readings in the Appendix.

Another copy of the earlier part of this History, of nearly the same age with the MS. of Dr Lee, makes part of a very valuable collection of papers, (in two volumes in folio) relative chiefly to



the reign of King James VI., which formerly belonged to Sir Alexander Dick, and is now in the possession of Sir George Warrender.\* In so far as can be collected from a slight examination of this copy, it does not appear to possess any superior excellence ; and for no obvious reason, it stops short abruptly, in the year 1582.

In the Advocates' Library, and in the possession of Lord Belhaven, are two MSS., (both in small quarto,) neither of which appears to be of earlier date than the end of the seventeenth century. In every respect they coincide so closely as to leave little doubt of their being derived from some common source ; and as they both stop short abruptly at the same point with the more ancient MS. in Sir George Warrender's possession, it may be conjectured, notwithstanding some changes in orthography, that this was the original of the two MSS. in question. From their comparatively recent date, these copies are of very inferior authority to the others that have been mentioned ; but they have not been

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\* These volumes were communicated by Sir Alexander Dick to Dr Robertson, and have furnished some valuable papers for the Appendix to his History of Scotland : But the narrative referred to above does not appear to have attracted his notice ; an oversight unaccountable in a person of so much acuteness and industry. Dr Robertson has observed that many of the papers are marked with the hand of Archbishop Spottiswood, and appear from several passages in his Ecclesiastical History to have been perused by him with great attention. The collection appears to have been formerly examined by Dr P. Forbes : and it is earnestly hoped that its contents will not be withheld from the public.

without their use ; and are here particularly deserving of notice in consequence of their connexion with some memorable circumstances in the literary history of Scotland.

In the year 1706, a work was published, under the following title :—“ *Memoirs of the Affairs of Scotland, containing a full and impartial account of the Revolution in that Kingdom, begun in 1567. Faithfully published from an authentic MS. By Her Majesty’s Historiographer for the Kingdom of Scotland.*”—(London, 1706, 8vo.)

The editor of this Work was Mr David Crawford of Drumsoy ; and the avowed purpose of the publication was to furnish an antidote to what he regarded as the pernicious tendency of Buchanan’s *Scottish History*, the popularity of which among his countrymen, the royal historiographer very heavily deploras.

In his preface, after labouring to establish the gross partiality and falsehood of Buchanan in his history of the reign of Queen Mary, Mr Crawford proceeds to give an account of his own work, which it may be fit here to quote at length.

“ . . . . Having thus far upon just grounds, and an impartial regard to truth, exposed Mr Buchanan’s sincerity, who being used as a classic author in most of our schools, is commonly looked upon as infallible, because the first impressions are always the strongest, I presume it will be expected I should say something else in behalf

of the following Memoirs, and indeed I shall be as plain and as brief as possible. I had all the substance of these sheets from an ancient MS. presented me by my very good friend Sir James Baird of Saughton-Hall, who purchased it by mere accident from the necessitous widow of an Episcopal Clergyman. As for the author's fortunes or particular character, I am wholly in the dark ; however, thus much may be easily gathered from his works, that he was a man of sense, and one that made not a very mean figure in the world, as appears by the justness and solidity of his reflections, and his more exact and particular account of the various transactions and turns of state in his time, than is to be met with from any one author upon the same subject. The only probable reason why he did not publish these Memoirs, seems to be this. The wounds were yet fresh, the parties concerned were then alive, and having writ impartially, and delivered things as they really were, and not as they were said to be, he dreaded the resentment of those whom he justly exposed, and who had the power in their hands, of stamping upon falsehoods the face of authority to make them pass current for sterling truths, and by the sanction of the civil sword, could (like Romish priests) transubstantiate rebellion into loyalty. For 'tis plain from his own words, he was living when King James the Sixth was married, where he says, (speaking of Queen Mary's flight into England,) ' albeit the Queen of

‘ Scotland was entered in the realm of England by the Queen’s own  
 ‘ permission, and great promise of friendship to follow thereupon,  
 ‘ by the taking of the diamond ring carried by Sir Robert Melvil,  
 ‘ now made Treasurer Depute of Scotland, &c.’ And we all know  
 Sir Robert got that post a very few months before the King’s  
 marriage. But because it might be objected that his being alive  
 at that time, though ’tis *bona causa Scientiæ*, yet is not at all a  
 proof of his honesty, and his evidence may be of no effect, unless  
 I can purge him of malice and partial counsel, as the lawyers ex-  
 press it, I have therefore (and because I know this to be one of  
 the knottiest pieces in our Scottish History) compared him care-  
 fully with Spotswood, Melvil, and Cambden, who are generally  
 allowed to have given the best accounts of the revolutions of that  
 time, and for the reader’s satisfaction, in matters of importance  
 (if not already insisted upon in this long Preface), instructed him  
 in the margent (during Murray’s regency), to find out with ease,  
 how far he agrees with most of these authors.

“ I declare solemnly, I have not (that I know of) wrested any  
 of his words, to add to one man’s credit or impair the honesty of  
 another, and having no manner of dependence upon any party  
 (for though the persons are dead, the parties, for ought I know,  
 may be alive still), I have neither heightened nor diminished any  
 particular character or action, but kept as close as possible to his



meaning and sense. If I had delivered things in his own style, it would have proved tedious and heavy to the nice reader, and by many in our neighbouring nation could hardly have been understood without a dictionary. In the language as in trade, the English have always kept the start of us, and about a hundred and fifty years ago we scarcely spoke beyond their CHAUCER who flourished in the fourteenth century, though I confess we have improved faster since. The common and commendable practice of our neighbours, in making new translations of innumerable books written in old English before their language was polished and improved, as it is since the restoration of King Charles II., shields me from any just censure, for putting this important piece of history in a more modern dress than that in which its author left it. I must acquaint my reader too, that he had not fully digested his matter into form and method, having marked down things (as it seems) just when they happened, or when they came first within the reach of his knowledge. As to the method and style in which he now appears, I know that

*Vincit opus famam, nec sermo suppetit actis.*

I was sensible enough too of my own weakness. But since nobody had undertaken it, I thought the task fell properly to my lot now, *virtute officii*. I hope my labour will afford the candid reader the more benefit and pleasure, since the only inducements

I had to undertake it, were to do justice to oppressed truth and right, to do service in my humble station to the Crown and to my country, and if possible, to disabuse those who have hitherto, for the life of Queen Mary, and an account of the troubles during her reign, unhappily consulted an History which ought no more to be credited than the life and death of the royal martyr Charles the First, if written by Cook, Ireton, or Bradshaw." Pref. p. xxxvi.

In his dedication of the work to his patron, David Earl of Glasgow, Mr Crawford makes this further statement:—"In my preface having given the best accounts I could of these Memoirs, I have only this to add, that the writer seems faithfully to have remembered Cicero's character of a good historian, *Ne quid falsi dicere audeat, ne quid veri non audeat*. As to the last part of the character, people will be very easily determined; and for the first, there is not one material passage in all his sheets, which I cannot justify from authentick papers, histories, and records. And I hope you do me the honour, my Lord, to believe, I would neither present your Lordship nor my country, with any thing for which I could not produce undeniable vouchers." Dedicat. p. 10.

On the faith of these asseverations, the "Memoirs of the Affairs of Scotland," were received by the public as the genuine composition of a contemporary writer; modified somewhat in style, and in the arrangement of some of its parts, in order to

and the prevailing taste of the age, but in the matter and colour of the narrative, adhering strictly to its supposed original. The appearance of such a work could not fail to be hailed by the partisans of the Queen, as a precious acquisition for the credit of history : and in spite of some stated ambiguities, and ill-disposed equivocations, in the statements of the author, as well as of some suspicious circumstances in the general account, and even in the more minute details of the work, it remained in place as a book of authority, and was supposed to be subsequent history, and political disquisitions, as one of the best regular sources of authentic information.

The real character of the work, however, did not altogether escape observation and detection. In Bishop Keith's "History of the Affairs of the Church and State of Scotland," published in 1744, there occurs the following significant note on a passage of his narrative, relating to the murder of Secretary Rieu, as given by Knox, Buchanan, and Melvil. "Another contemporary historian, the author of the Memoirs which go under the name of Crawford, has the short touch of the matter, &c.—Now, my readers will be pleased to know, that as often as I shall have occasion to quote these Memoirs, I take my quotations from a manuscript copy, which was taken from the very manuscript made use of by Mr Crawford, before he caused it to be printed.

There are considerable variations between the manuscript and the print."—P. 330. Instead of giving to his criticism the air of a fastidious and overstrained nicety, it would have been more becoming the candour of Bishop Keith, had he plainly denounced the historical infidelity of Mr Crawford, in the broad and unqualified terms which he must have known it to have merited.

Had Mr Matthew Crawford, the contemporary Professor of Ecclesiastical History in the University of Edinburgh, lived to publish his projected work on the History of Queen Mary, his exposure of these Memoirs would have been made in a very different tone from that of Bishop Keith. That industrious person appears to have had access to one of the MSS. of the Life of James the Sixth ; and in a copy of the printed Memoirs still preserved, he has pointed out a great many interpolations and falsifications, though by no means the whole, in terms of unequivocal reprobation ; and it may be now regarded as matter of surprise, that the extent of this author's " variations," from his alleged original, as Bishop Keith has courteously characterized them, should not sooner have deprived the work of every pretension to credit.

The fact certainly is, that Crawford's Memoirs continued, for nearly a century, to maintain the character of a genuine contemporary narrative. As such, it was unsuspectingly quoted by Mr Hume and Dr Robertson ; and as such it was relied on by Mr

Goodall, Mr Tytler, and Mr Whitaker, and characterised by the latter as the "respectable testimony of a living eye-witness of some of the most critical and disputed facts in the history of the period to which it relates." This blindness is the more remarkable, that even in his awkward attempts to uphold the credit of these Memoirs, Mr Goodall had admitted enough of light on the plan of their composition, to have awakened the attention and suspicions of the distinguished authors who have been referred to. Under his superintendence a new edition (the third) of the Memoirs, had been prepared and published in 1767, with an additional Preface, in the name of the bookseller, which is here deserving of perusal, in contrast with the passages that have been already quoted from that of the original author of the work.

"These memoirs, compiled by David Crawford of Drumsoy, Queen Anne's historiographer for the kingdom of Scotland, were first published at London in the year MDCCVI. He himself informs us, that he had the substance of them wholly, or rather chiefly, from an ancient manuscript of an anonymous author, who lived in the very times of which he wrote. What is now become of that very manuscript I have not been able to discover. Some have taken the liberty to affirm, that our author himself committed it to the flames : but how unwarrantable and injurious that alledgeance is, I have been informed by Mr Thomas Ruddiman, who



having requested Mr Crawford to lodge the MS. in the Advocates' Library, was answered, that it did not belong to him, but to Sir James Baird of Saughtonhall, to whom he had returned it; which being signified by Mr Ruddiman to Mr Robert Bennet, the then Dean of the Faculty of Advocates, he applied to Sir James himself for having the book brought into their library, but was told that it was not then in his possession, for he had lent it to William Hamilton of Wishaw, out of whose hands it could never be recovered. However, there is now in the same library at Edinburgh, a written book of memoirs of these very times, and another in the possession of Bishop Robert Keith, that are generally thought to be copies of it; and as such, are here sometimes cited in the notes; though, because these are only late transcripts, I have heard the transcriber's fidelity called in question by some people, who nevertheless could give no satisfactory reason for such an allegation.

“ Mr Crawford having compared his MS. carefully with Archbishop Spotiswood's History, Melvil's Memoirs, and Camden's Annals of Q. Elizabeth, he put the whole of it into a more modern dress, excepting some singular papers, which, he tells us, he thought fit to give in their original style; and for the reader's better informatiue he inserted here and there some material papers at good length, of which his principal author had given very

short abridgments, and others that he had quite overlooked.— Thus he rendered the story not only more agreeable to his readers, but also more complete and certain. And truly the history of these times is given with so much contrariety and contradiction among the different writers, that whoever will publish any thing of that kind, must find it requisite and necessary to support the same by authentic deeds or papers ; for these are the only sufficient vouchers.

“ But it is not easy to please all men ; for some have found fault with our Author on this very account, as they sometimes pretend, though the true ground of their quarrel is rather because, in his Preface, he exposes the inconsistencies in one of their favourite authors. But the true cause, it seems, must not be told, and unable to give another sufficient reason why they find fault, they lay hold on a very frivolous one, which is this : The bookseller at London, according to a custom which is well known to obtain there, thinking to draw in customers, had put these words in the title-page, *faithfully published from an authentick MS.*, which (although in a certain sense it might have been said) was done plainly contrary to the declared intention of the author, if it was meant thereby to represent his book as a bare transcript of the old MS. memoirs ; for he himself acquaints us, ‘ that he has changed both method ‘ and style ; that otherwise it would have proved tedious and heavy ‘ to the nice reader, and by many in our neighbouring nation could

‘hardly have been understood without a dictionary ; that he compared this his principal author with Spotiswood, Melvil, and Camden ;’ from whom also, on proper occasions, he has supplied what was defective in the other, where, for the most part, he fails not to cite them on the margin. He tells us, that in his preface, he writes some things in his own defence : What defences could he have stood in need of, for barely and servilely publishing another man’s book above a hundred years after he was dead ? He acquaints us, p. 214, that he always begins the year with January. This is what the author of his MS. would not have done ; for in his time the year, throughout all Britain, commenced with the 25th of March ; yea, he cites these very memoirs after the same manner as he would have done any other voucher, p. 280, which had been very incongruous in a man who pretended to give a bare copy of them, and nothing else. Thus he doth justice both to his authors and readers, when he frankly acknowledges whence he had the substance of what he delivers. A man who writes of ages past, must be beholden to some one or other for materials, though every author has not the candour to acknowledge always whence he gets them ; or if he borrows not somewhere, what does he but imposes the Fictions of his own brain upon us for true history ? which indeed, I must own, is too frequently done.

“ By these means Mr Crawford was enabled to render his per-

formance so complete, that, as is allowed by all good judges, there has not hitherto appeared any account of the transactions of the four Regents during that busy time of the minority of K. James VI. worthy to be compared with it for variety and correctness, many particulars being here narrated which have been wholly overlooked by our common Historians." Bookseller's Pref. p. lxxv.

Such is the apologetical explanation of Mr Goodall ; between which and the original statements of Mr Crawford, the inconsistencies are abundantly manifest. But even that explanation fell far short of the truth ; nor was the real character of Crawford's work completely disclosed till the publication, in 1804, of an Historical Dissertation on the Murder of Darnley, by the late Mr Malcolm Laing. " It is necessary to observe," says Mr Laing, " that Crawford's Memoirs are a downright forgery, which has introduced much error into the present controversy. Having found a MS. history of the times, he expunged every passage unfavourable to Mary, inserted every fact or assertion which he found in Camden, Spottiswood, or Melvil, whom he quotes on the margin as collateral authorities ; and after compiling Memoirs of his own, protests, that without wresting the words, he has adhered to the sense and meaning of the original.—From Goodall's advertisement to the second edition, it appears that the MS. was transferred to Mr Hamilton of Wishay. On making proper inquiry,

I had the good fortune to find it among the papers of his descendant, the present Lord Belhaven. From the same advertisement it appears, that Goodall collated Crawford's Memoirs, not only with Keith's copy, but with another copy of the same MS. in the Advocates' Library ;—nor had Goodall the honesty to explain the forgery which he must have perceived, or to state, in a single instance, the discrepancy between the MS. and the printed Memoirs."—Vol. I. p. 15, Note.

In consequence of the criticisms which these severe remarks very naturally provoked, Mr Laing was induced, soon afterwards, to publish "The Historie and Life of King James the Sext," as contained in the Belhaven MS.,—the avowed prototype of Crawford's Memoirs : and in doing so, he regarded it not merely as a vindication of himself, but as an instructive exposure of one of the grossest literary forgeries that have been employed to pervert the genuine history of Scotland.

One of the immediate results of this publication was the discovery of the Newbattle MS., by the late Noble Marquess of Lothian ; who, with that liberality of spirit which in him was native and indelible, did not lose a moment in communicating his discovery to Mr Laing ; and in 1806, Mr Laing, with his characteristic promptitude and zeal, had made preparations for printing the continuation of the work which this MS. had put into his possession,

together with the corrections on his previous publication which it had enabled him to make. From this object, however, he was afterwards diverted by other more important pursuits ; and it is now only, for the first time, that the entire " History and Life of King James the Sixth" has been given to the public.

On the intrinsic value of the work it may be sufficient to observe, that it is only to be regarded as forming a portion of the rude materials of Scottish history ; that like the narrative of every contemporaneous chronicler, it is visibly tinged with the colours of passion and party spirit ; that apparently it is not the composition of a person actually concerned in the great events which he commemorates, or even very closely allied to the great actors in this eventful period of our annals ; and that it is only by a patient collation with the accounts of other writers, and above all, with the original documents and records of the same period, that such works as the present can be made available to their true and only legitimate ends.

NOVEMBER, 1825.



P. S.—IN the Appendix to his *Vindication of Mary Queen of Scots*, (Vol. III. p. 395,) Mr Whitaker has introduced some observations “concerning Crawford’s *Memoirs*,” which are deserving of notice, as forming one of the steps that led to the complete detection of Crawford’s forgery. “This very valuable work,” says Mr Whitaker, “has been repeatedly used by me, in the body of the *Vindication* preceding. It is replete with useful and pointed intelligence; but it has been published in such a manner, as throws a shade of suspectability over it. And to notice the circumstance, I think an act of justice to the History and the reader.”

After offering some conjectures as to the probable date of the original work, and as to the original writer, whom, upon very slight, fanciful, and fallacious grounds, derived chiefly from Crawford’s interpolations, he supposes to have been Sir John Gordon of Lochinvar, Mr Whitaker makes some severe strictures on the conduct of Crawford as an editor, in not merely re-modelling the original narrative according to his own notions of method and style, that the book might prove less “tedious and heavy to the nice reader,” but in actually falsifying the text, both by interpolation and suppression. This censure he has founded on the ge-

neral assertion of Bishop Keith, as to the "considerable variations" he had discovered between his own copy of the MS. and the printed work; and has justified by a detailed comparison of the passages quoted by Keith, from which only Mr Whitaker possessed the means of detecting and exposing the infidelity of Crawford.

"To these," says Mr W. in conclusion, "I might annex many other instances; but these are sufficient to show the wild liberties which Crawford has taken with the MS. in printing it. Yet, to wind up the whole completely, I shall just mention three very striking instances more, and all three different from each other, and from all the preceding. In his Preface, he expressly refers to a passage in the Memoirs, which speaks of Sir Robert Melvill as 'now made treasurer-depute in Scotland;' and yet most amazingly omits it in his copy. [Pref. xxxvii; Keith, 483; and Memoirs, 70, 71.] Speaking also of some merchants being seized and imprisoned by Morton, they had no *Habeas Corpus*,' he says, 'to regain their freedom; and to make up that defect in our constitution, were forced to purchase the free air at a very dear rate.' [Memoirs, 312.] This interpolation betrays itself by its broad glare, to every eye. But Mr Crawford takes a bolder step than this, in interpolation; engrafting a formal bond of association actually made by the Royalists, upon the original stock of the Memoirs, and coolly giving it as a part of the MS. [Keith,

436; *Memoirs*, 60, 61.] And thus, in the rash dexterity of a coxcomb, he appears to have corrected a language that was equal to his own ; to have reformed a method which was better than his own ; and, under pretence of doing both, to have luxuriated in alterations, to have suppressed notices, to have inserted circumstances, and to have unwittingly encroached upon the very confines of imposition and forgery.

“ All serves to hurt the reputation of these *Memoirs*. Amidst so many evidences of corruption, we hardly know where to find the text in its original integrity. Our references to it at present, therefore, except where we have the original preserved by Keith, must be made with a dubiousness of confidence ; and I notice the necessity for this, in order to be faithful to the truth ; and in hopes of inducing some gentleman of Edinburgh, to procure either Crawford's MS. or Keith's copy of it, and to give it unsophisticated to the world.”

With these impressions on his mind, it cannot but be matter of surprise that Mr Whitaker, in the course of his elaborate *Vindication*, should have ventured to rely so frequently on the evidence of a work, which, however anxious he might be to regard it as the testimony of a contemporaneous writer, his acuteness had sufficiently enabled him to expose as the corrupted and unfaithful composition of a modern partizan. But in this respect, his acuteness and his prudence were over-matched by his ardent and chi-

valrous zeal ; and it cannot be thought wonderful that the passages in the Memoirs, which have been quoted by Mr Whitaker as the most valuable and interesting, are some of those in which the compiler had indulged in the utmost licence of deviation from his pretended original.

**MARCH, 1826.**

**THE HISTORIE AND LIFE**  
**OF**  
**KING JAMES THE SEXT.**





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**KING JAMES** the Sext was borne of his mother Marie Queyne of 1566. Scotland and Queyne Douager of France in the Castell of Edinburgh the 19 day of Junij 1566; whose lyfe I purpose at lenth to declare.

Howsome the Queyne convalessit efter hir birth, she according to the common forme of Scotland addrest herself to the south pairtis of the realme, to hald Justice Courtis to puneish malefactours; And for this effect directed furth James Erle Bothuell Lord of Liddisdail to that province, to compell certen unbrydlit insolent thevis to shaw their obedience unto hir; bot they according to ther unrewlie custume dispysit him and his commissioun, in sik sort as they invaydit him fearcelie and hurt him in dyverse



pairtis of his bodie and heid, that hardlie he escapit with saiftie of his lyfe; and this act was done be the handis of Johne Elliot of the Park, whome the said Erle slew at that conflict.

The Queyne being then at Jedburgh, and understanding the certentie of this accident, was so heighlie commovit for the same, as she tuik na repose in bodie till she saw him; and therefore with all expeditioun addrest himself to the castell of Liddisdaill callit Armetage, wher the said Erle then lay for curing of his woundis: And when she considerit his estait of bodie to be in daynger, she immediatlie that same nycht returnit to Jedburgh; wher what for wearines of that suddayne and far travell and gret distres of hir mynd, she becam seik of a burning corruptit fever, that occupyit hir in sa heigh degre that hir sensis for the tua pairt of the first day war diminischit: Bot thereafter she convalescit a littill, whilk continewit not lang; for immediatlie her seikness tending to the death, as she thocht, she causit send adverteisment to all the kirkis nixt adjacent to pray for hir; and in the meyne tyme was resolvit to rander her spreit to God, and gave charge that hir bodie sould be bureit amang her predecessouris. She desyrit God of his mercie to pardoun hir synnis, to grant hir a penitent and contreit hart for hir bygayne offensis, and that he wald deall with hir according to mercie in respect of hir weaknes, and remit a litill of his jugement, altho she had deservit the samyn as a miserable offender, and thankit his Majestie wha had gevin hir so large a tyme of repentance. Praying effectuouslie to grant hir constancie and per-

severance in that Catholik undoubted trew fayth and religioun unto the end, wherof she in presence of the noblis and gentlemen ther convenit maid confessioun, saying in Lateyne, *Credo in Deum, &c.*

Nixt she recommendit unto them unitie of myndis peax and quyetnes; for be discord all maters ar dissolvit, and be concord they remayne in thair awin integritie. She recommendit unto them the protectioun of hir young sone the Prince, that he sould be brocht up in the fear of God, in honest and honorable societie and perfectioun of maners, and to preserve him from corrupted people as may ather seduce him from his bundin dewtie toward God or the warld; to the end he mycht live as a godlie and righteous Prince above his people. She forgave all these wha had offendit hir, and cheiflie these ungrait people who she had promovit to heigh honors, and in particular her awin husband King Henrie, as alsua the baneist nobilmen who had heighlie greivit hir; requyring that in caice they sould be broght in the realme efter hir deceis, that thay sould at leist be debarrit from acces to the young Prince for hir request: And that they wald procure sum ease in conscience to these that do profes the catholicque fayth; becaus that during hir regiment she constraynit nane of hir subjects to exercise utherwayis in religioun then as thair awin conscience indytit them. She did recommend unto them all hir Frensh servandis to be weill recompencit for thair service, and naymelie ane Arnoldus Columbus. She recommendit hir amitie to the King of France be his ambassador then resi-

dent in Scotland callit Monsieur de la Croco ; and the protectioun of hir sone to his Majestie and to the Queyne Mother of France ; and that he sould interceid at his returne to crave hir pardon in hir nayme of sik offences as she had actuallie done or mycht be supposit to have done aganis hir ; and that it sould pleas the King to graunt the renew of a year of hir dowarie efter hir deceas, for payment of hir debtis and servandis feyis.

During this seiknes King Henrie hir husband was in companie of Matho Erle of Lennox his father in the wast part of Scotland : And howsone he understode of this sudden visitioun, he addressit himself with expeditioun towart hir, altho he was not welcome as appertenit ; wharefore he addrest his journey back to Sterling, whare he remaynit till the Prince was baptisit.

The caus wherfore he was thus evill handlit was, that Queyne Marie being servit be one David Riccio Italien as Secretarie, and this office of his being prejudiciall to Secretarie Maitland of Lethingtoun, he addrest himself (being a man of subtile brayne) to a factioun, direct repugnant to the Queyne in all respectis ; and in the meyne tyme informit the King to consave in mynd that this Italien Secretar was a necromanciar, and had carnall copulatioun with the Queyne ; and that to the end he might induce sum of the nobilitie to trouble the estate, as it fell out thereafter. For King Henrie being a young Prince nawayis experimentit in maters of state, was easilie seducit, not weying the caus or the end aright what sould ensew of that actioun ; for thay

maid him beleive that they sould caus him be absolutlie crownit King of Scotland. He introducit Patrick Lord Ruthven and his eldest sone with sum uther conspiratouris, throw his awin chalmer, into the Queynis chalmer, upoun the nynt day of Merche 1565 ; and ther without ather reverence or respect had to hir Majestie, not onlie injurit hir in wordis, as she then was at supper, bot also layed violent hands upoun hir and upoun hir Italien Secretar, and harlit him unmercifullie to another chalmer and ther mordreist him cruellie to the death. This fact made sik impressioun in the Queynis hart, becaus the King assisted therunto, and she being then great with chyld, that the fruitis therof maid ane tragicall end.

In the moneth of December, the Prince was baptesit in the Castell of Sterling on the catholicque maner, be Johne Archebischof of Sanctandrois, in a font of gold, weyand thre hundreth threttie thrie unces, sent be Elizabeth Queyne of Ingland. Ther assisted to this baptisme, for the King of France, the Count of Bryen ; for the Queyne of Ingland, the Erle of Bedforde ; for the Duke of Savoy, Monsieur La Croco. He was then baptesit be the naymis of Charles James and James Charles, be thryse repetitioun of the voyce of heraldis and sound of trumpettis. And notwithstanding of this great triumphe, with all the bancatting, sport and pastyme, that was ther amang sa noble personagis, nather did King Henrie cum ther, albeit he was in Sterling all that tyme, nather was he requyrit or permitted to cum oppinlie ; and therefore he dadrest himself to Glasgow, wher he becam extreyne seik, so as

his haill bodie brak out in evill favourit pustullis, be the force of yong eage that potentlie expellit the poyson whilk was supposit to have bene gevin him, to end his trublit dayis: Sa that the Queyne, whether it was for pitie or utherwayis, I will not dispute, tuik jorney toward him to Glasgow, and remaynit by him be the space of ten dayis; and causit him be transported to Edinburgh, wher he was placit in a desert lodgeing neir the toun wall and fauxbourg therof, callit the Kirk of Feild, preparit for a perversit intent whilk the malicious actors performit with ther pestilent handis; who persaving that the poyson whilk they had gevin him did tak no effect, devysit this uther purpose, to lay traynis of gun poulder without and within the wallis of the hous in great quantitie. Bot first they came in be slight of fals keyis quyetlie to the Kingis chalmer wher he was reposing in bed, and his servand sleeping nar by; first thay stranglit the King sleeping in bed, and nixt his servand; they caist ther deid bodeis out in a desert yaird, be a bak dur whilk they had preparit before fit for the purpose; and then kendlit thair trayne of gun poulder, whilk inflammit the haill timber of the hous and trublit the wallis therof, in sik sort that great staynis of the lenth of ten fut, and of breadth of four futtis, war fundin blawin from that hous a far way. This was devysit to desave the people, to mak them beleve that the hous and bodeis war destroyit and brint be the chance of sudden fyre and na utherwayis. Bot Bothuell and dyverse of his men war fundin and sene nar by, to the end ther wicked purpose could not faille to tak effect, as be the progres of this historic sall

the better be knawin. This tragicall murther was committit the nynt day of Februar ; and upoun the fyft day thereafter his bodie was bureit in the tombe of the Kings at Halyruidhous, quyetlie in the night, without any kynd of solemnitie or murnyng hard amang all the persounis at court. For within tua dayis thereafter the Queyne past in progres to Seytoun, wher she remaynit a few dayis, till the Parliament approchit whilk was proclamit afore. He was a cumlie Prince of a fayre and large stature of bodie, pleasant in countenance, affable to all men, and devote, weill ex-ercesit in martiall pastymis upoun horsback as ony Prince of that eage, bot was sa facile as he could concele no secreit altho it mycht tend to his awin weill.

In the moneth of Merche in this year, James Erle Bothuell 1567. finding himself havelie sclandrit for the murther of King Henrie, and diverse preachers devulgat the same oppinlie in ther kirkis to the people, to the prejudice of his honour and honestie in that actioun ; he thocht expedient, be advyce of the Queyne, as the end declarit, to commit himself to the cognitioun of a Jurè oppinlie, as geve na person durst compeir in his contrarie ; and it was proclamit to the 28 day of that moneth. But when he was comperit, my Lord Justice prorogat the day to the tuelft of Aprile ensewing ; And before that day, James Erle of Murray demandit licence of the Queyne to reteir from Scotland be the space of fyve yearis, whilk was granted ; and he immediatlie departed to-

wart England, and yit returned sooner for advancement of his awin honor.

And as the tuelft day drew neir, the Erle of Lennox addressit himself to the toun of Edinburgh, to accuse the Erle Bothuell for the murther of his sone ; and the Queyne persaving that, sent adverteisment to him to enter the toun in a privat maner, accompaneit with his houshald servandis onlie, whilk he refusit to do ; so that the parciall Jurè proceidit to Bothuellis great contentment, bot in no securitie from sclander, and ther acquit him of all suspicioun of actioun of murther of the King, becaus nather was it provin be witnessis, nather notefeit be probabill accusatioun. Notwithstanding, to the effect that no thing in this mater salbe obscurit, bot all parteis may be knawin in thair awin culloris, it is requisite that the naymis of this honorabill Jurè be playnlie notefiet. Ther naymis are these as followis : The Erle of Cassills, Erle of Caitnes, Erle Rothes, Lord Arbroth, Lord Oliphant, Lord Hereis, Lord Ros, Lord Semple, Lord Boyd, Lord Forbes, Barron Lochinvar, Barnbowgall, Boyn, Langtoun, Cambusnethane.

In Aprile the Parliament held, and Bothuell was promovit to beir the sceptor from the Queynis Palice to the Parliament-hous ; and the Erle of Lennox persaving all maters to go astray in Scotland, thocht it unsure for him to remayne anie langer to behauld sik unpuneist barbaritie. He therfore reteirit to England be the wast sea, wher he remaynit peaceablie till he was callit back

be the nobilitie of Scotland, to mak his tragicall end also, as in the awin place ye sall heir.

Then Bothuell, thinking thair was na contrarietie aganis him in Scotland, convenit the number of fyve hundreth horsemen ; and as the Queyne was cumand from the Castell of Sterling to have returnit to Edinburgh, he met hir in the hie way, and convoyit hir parforce (as apperit) to the Castell of Dumbar, to the end he might enjoy hir as his laughfull wyff ; and in the meyne tyme causit devorcement to be libellat betuix him and his awin laughfull mareit Ladie, the Ladie Jeane Gordoun, then sister to George Erle of Huntlie. The freyndlie loove was sa heighlie contracted be this great Princes towart hir enorme subject, as ther was no end therof ; for it was constantlie estemit be all men that ather of them loovit uther carnallie, so as she patientlie sufferit herself to be led wher the loover list ; for all the way nather she, nor nayne in her nayme, maid obstacle impediment clamor or resistance, as in sik accidents usis to be done, and as she might have done be hir princelie auctoritie, being accompaneit with the noble Erle of Huntlie and Secretarie Maitland of Lethingtoun. They had scantlie remaynit be the space of ten dayis in the Castell of Dumbar, and no great distance being betuix the Queynis chalmer and Bothuellis, when they thocht expedient to cum to Edinburgh Castell, and be the way to shaw himself to the people, that Bothuell was readie to put hir to libertie agayne, according to the dewtie of ane obedient subject : Bot at the strait entrie



that leiddis towart the Castell, he maid appearance to leid hir brydle ; and the people thocht so to : Bot thay interpret the same as thocht he convoyit hir as his captive, to a castell wherin a substitut of his was capten, callit Sir James Balfoure.

Immediatelie thereafter they war proclamit in severall kirkis to be mareit, and a certen day prefixit for that purpose : And to the effect she sould not seime to embrace an husband that war not in the rank of a Prince, he was creat Duc of Orknay and Zetland, with great magnificence ; and upoun the fyfteint of Maij they war mareit togither. And that same day this pamphlet was affixt upon the palice port.

*Mense malas Maio nubere vulgus ait.*

Certen of the nobilitie mislyking of this marriage, and being out of countenance afore, delt secretlie with uthers of the best sort to make a faction, pretending therby to set the Queyne at libertie, and to put Bothuell to a tryall of the suspectit murther ; altho ther intentioun was rather to seik ther awin libertie be uprore and rebellioun, and to be exalted, as in the awin place ye sall heir. For the cheif of this factioun was James Erle of Mortoun, the Erle of Marr, Lord Sempill, Lord Lyndsay, Secretarie Lethingtoun, the Barron of Tullybarden and Graynge. And as the Queyne was in peaceable maner reposing with her new mareit husband in the Castell of Borthwik, they thocht to have layd violent handis on them baith, bot wer deseavit ; for the Queyne was premoneist therof, and escapit suddenlie to the Cas-

tell of Dumbar, and therby laiser was offerit to convocat thair forces on both sydis.

So the Lords being frustrat of that interpryse, addrest them touart Edinburgh, intending to fortifie themselfis ther. Bot it was supponit, that nather the capten of the Castell sould have sufferit them approche to the toun, nather sould the provost of the toun have permitted them to enter ; bot when the hairtis of peopill ar alienat from the laughfull Prince, rebellious persons have libertie to do what they list without contradictioun, as became of this purpose. For the great part of the inhabitants of the toun wer subornit be ther pastors to mak na resistance ; and the capten of the Castell was so delt withall, that the mater came to talking, wherby he was suddenlie corrupted with money, and randrit the Castell in ther handis, to the prejudice of the Prince and his maister, Bothuell, who placit him ther : So that howsone the toun and castell war in ther possessioun, they divulgat ther pretence to the people, that they war convenit for na uther intent there bot to searche these wha had murtherit the lait King Henrie ; and becaus they understude that sum of thame were quyetlie keapit in Edinburgh, they wald searche thame and sie thame punest ; wherunto the maist pairt of the people war then inclynit. And within twa dayis thereafter, the Erle of Athoill, be persuasioun of Secretarie Lethingtoun, came to this factioun ; bot thereafter wer sa far different in myndis and bodeis, as we sall heir the issue of rebellious, to our better instructioun, be the progres of the historie.

And the Queyne understanding crediblie of sik convocation tending to rebelloun, she on the uthir pairt assemblit samonie as she could obteyne in sa short tyme, and desperatlie came from Dumbar to Seytoun; and efter she had stayit bot a nycht, was resolvit be the unwyse advyce of these that war with hir at that tyme, to cum fordwart with that small cumpanie, to invayd hir adversaris before a competent armie war assemblit, and came to a place callit Carbarrie hill. The Lordis sortit from Edinburgh be placis of advantage, and to have the sone on the bakkis, for that day was exceiding hott, whilk was the fourteint day of Junii and a Sonday. The Queyne causit hir proclamatiounis to be maid to animat the people on hir syde; so as geve anie man sould happin to slay an Erle of the adverse partie, sould have for his reward a fourtie pund land; for slaughter of a Lord, a twentie pund land; and for slaughter of a Barroun, a ten pund land. Bot the mater was componit without straikis; for the factioun of the Lordis was mekle stronger nor the Queynis, and manie people of Edinburgh wer cum furth to assist them. Besydis all this, they wer supported with store of drink, whilk was a great releif aganis drowth in sik exceiding heat of the year: so as when the Queynis partie saw sik a multitude, and sa curagiouslie approach aganis thayme to feght, the Duc of Orknay was counsellit be the Queyne to reteir bak to the Castell of Dumbar with expeditioun, and ther to saif himself, as he did. Monsieur La Croco, Ambasadour for the King of France, maid great travell betuix the parties for agreement, bot it could not be obtenit: And the Queyne

persaving that, desyrit to speak with the Laird of Graynge ; and in the meyne tyme these of hir syde decessit still ; so when as he came, they usit sum small spechis : For she being credulous, to be frie and saif from daynger, randrit herself willinglie to the Lordis ; who unreverentlie broght hir in to Edinburgh about sevin houris at evin, and keapit hir straitlie within the Provostis lodgeing in the cheif streit ; and on the morn fixit a whyt baner in hir sight, wherin was payntit the effigie of King Henrie hir husband, lyand deid at the root of a grein growand trie, and the picture of the young Prince sittand on his kneis with his hands and countenance touart heavin, with this inscription,

*Judge and Revenge my caus O Lord !*

This sight greivit hir greatumlie, and therefore she burst furth exceiding tearis, with exclamatioun aganis these Lordis wha held hir in captivitie, crying to the people for Christis caus to releive hir from the handis of these tyrans. The people of the toun convenit unto hir in great nomber, and persaving hir so afflicted in mynd, had pitie and compassioun of hir estait. The Lords persaving that, came unto hir with dissimulat countenance, with reverence and faire speachis, and said that ther intentioun was nawayis to thrall hir ; and therefore immediatlie wald repone hir with freedome to hir awin Palace of Halyruidhous, to do as she list ; wherby she was so pacifeit as the people willinglie depairtit ;

And on the nixt evening, to cullour ther pretencis, convoyit hir to the palice, and then assemblit thamselvis in counsell to advyse what sould be thoght best to be done: And it was decernit, that immediatlie she sould be transported to the fortalice of Lochlevin, and ther to be deteinit in captivitie during hir lyfe, and constrainit to transfer the auctoritie of hir Croun from hir person to the young Prince her sone; to the end that they might reull as they list, without anie controlment of laughfull auctoritie; whilk continewit for manie yearis.

Thair was on the Queynis pairt that day, the Lordis Seytoun, Yester, & Borthuik, with thair forcis; the Barrounis of Wauchtoun, Basse, Ormestoun, Wedderburne, Blacader and Langtoun. On the pairt of the Lordis were, the Erles of Mortoun, Marr and Glencairne; the Lordis Lindesay, Ruthven, Home, Sempill, Sanguhair; the Barrounis of Tullybarden, Drumlanrig, Grange, and all thair forcis of horsemen and futemen.

In this meyne tyme came ane ambassador from France, callit Monsieur de Vilroy, to knaw the estait of the Queyne and cuntrie, with letteris patents to hir in cais she war at libertie; utherwayis not to divulgat them, but to dispose upoun them as he list: And becaus he fand sic a trublit estait, without the majestie of a Prince, he depairted the cuntrie patientlie throw Ingland.

The Lords thus triumphing, having the Queyne in sure captivitie, inclosit with watter at all pairtis of hir preason, distant ane half myle at least from anie land, and keapit be the hand of a

Douglas Barron of Lochlevin, wha was thocht maist convenient for this purpose, baith becaus Douglas then Erle of Mortoun was prince of this factioun, and the uther Douglas had the maist sure hald, and was brother to James Erle of Murray, wha efter was the first Regent of Scotland in the Prencis minoritie, and therby pretendit to be King ; she was ther committit for all respectis. Bot the gentilman was sa weill advysit be his freyndis, that he wald not ressave her within his hous of strenth without a speciall warrand of these rebellious Lordis ; and that in cais it sould be imputed to him another day, ather be hir Majestie then present, or be anie of hir successors, that thay sould be band and obligation stand as warrand betuix him the Prince and his airis, aganis all perrill and daynger that might ensew therupon ; whilk they promiseit and band themselvis to performe ; and not onlie this, bot also promiseit to convocat a Parliament of ther factioun of all estaits, and the same sould be ratifeit be all ther voitis ; whilk was also done.

That same verie nycht of hir transporting, tua men were tayne as suspect of the Kings murther : The ane was callit Sebastion de Villour, a Frenchman of nation ; the uther was Capten William Blakater. This capten shortlie efter was put to the knowledge of a Jurè and was convict, bot at his death wald nowayis confes himself giltie of the Kingis murther : The uther escapit.

Notwithstanding of this, the Lords finding ther factioun not sa strang as nead requyrit, having potent adversaris aganis them, of

whilk number the Erle of Argyll was ane, they thocht expedient to send the Erle of Glencairn, ather to persuade him directlie to be of ther factioun, or ellis that he wald sa absteyne that he sould not seme to be ther enemye: wherby he grew sa corrupted that altho he shew himself in outward behaviour as a gude subject to the Queyne, yit in effect behavit himself hir enemye, as be consequent salbe sufficientlie provin.

Thus thay went so quicklie to wark, as they divulgat ther proclamatiounis in sik sort to the people, declaring the Erle Bothuell to be actuallie culpable of the murther of the lait King Henrie, and therefore willit all men to be diligent to searche him to be broght in to justice, and that he sould have for his reward a pecuniall sowme, availing ane thowsand pundis money of this realme: As also thay spairit not to put violent handis upoun hir Majesties copburd, weyand saxtene stane weght, and meltit the same, and convertit all in coyne, wherby they forgeit a staff to brek hir heid with hir awin geir.

In the meyne tyme was an ambassador sent from Ingland, callit Sir Nicolas Throgmortoun; and immediatlie thereafter, becaus the Lords wald not seme to accept the gouvernement of the cuntrie upon themselves, thay thocht gude to establis a Prence of blood reall, under the shaddow of whose wyngis, during his minoritie, they sould convoy all things to ther awin purpose: And therefore they summonit all the Noblis of the Realme to compeir at Sterling, to assist and approove the Coronatioun of the yong Prence to be a King for ther intent. And to the effect it

sould seme to haif the better succes, and that the subjectis of all degreis sould mak na obstacle in the contrar, they directed ther messinger to ther captive Princes, desyring hir to allow of that ther purpose : whilk she (being in that cace) nather durst nor could refuse ; for the messinger was commandit, in cace of hir refusall, to denonce puneishment and death unto hir, for the murder of hir laughfull husband King Henrie. She therefore considering with herself, that hir refusall could avail no thing, deliberat to yeald to ther boisting intent, and subscriyvit hir assent therunto, and that not of anie frie will, bot onlie as I have said. And so to put that purpose to a finall end, they convenit at Sterling, and in the paroche kirk therof the Prince was annoynted King be Adam Bischop of Orknay, and crownit King be Lord Johne Erle of Atholl, be the expres words of the Queynis commissioun. At the whilk conventioun, passing from the paroche kirk to the castell agayne, the Erle of Atholl bure the Croun of honor, the Erle of Mortoun the scepter, and Erle of Glencairne the sworde ; and the Erle of Mar careit the new inaugurat King in his armes to his awin chalmer in the castell ; and this was done upon the tuentie nynt day of Julij a thousand fyve hundreth threescore sevin yearis.

In the nixt moneth James Erle of Murray, a man of this factioun, returnit from France in Scotland, who immediatlie obtenit eisie acces to the Queyne ; and he was before persuadit be these who wer hir deteners and uthers of that factioun, desyring him to tak the governement of the cuntrie upoun him ; to the



whilk he was easilie persuadit ; and that without great delay of tyme, he coacted consent of the captive Queyne, the bent mynd of the factioners, and his awin gude will therunto, he was publiklie proclamit in Edinburgh upon the 22 day of that moneth, onlie and laughfull Regent to James be the grace of God King of Scottis, his Majesteis Realme and Liegis. Therefter he talkit with the Capten of the Castell of Edinburgh, callit Sir James Balfour, who was also one of these who wer suspected of the Kings murther, to th'effect he might obtene the hous from him. The conditions that the Capten cravit war auctoreist unto him ; as first, a remissioun as airt and pairt of the Kings murther ; nixt, a gift and donatioun of the priorie of Pittinweyme ; thridlie, a pensiou of victuall to his eldest sone out of the priorie of St Androis to remayne with him heretable ; and last of all, a great pecuniall sowme to himself in hand : And thus the Regent tuik possessioun of the hous, and logeit himself therein the first nycht.

The Queyne understanding of this parcial dealing, tending gretlie to hir prejudice, she subornit a factioun within the prison, and uthers of the freyndship of Hamiltonis ahrod, and diverse uthers in wham she confidit, that the Regentrie of the Realme, geve anie sould be estemit laughfull, uncoacted or compellit, but be hir awin frie motive will, it sould rather be gevin to James Duc of Chattellarault Erle of Arran and Lord Hamiltoun, then to anie uther : And for this caus, she maid and subscrivit a frie commissioun of hir awin inventioun, to Archebald Erle of Argyll,

[Robert] Lord Boyd, Williame Lord Levingstoun, and Gawin commendatar of Kilwynning, to talk with the new elected Regent of this purpose, and for hir libertie from captivitie : Bot all ther talking turnit to this effect, that becaus Duc Hamiltoun was then furth of the cuntrie, it was not thocht expedient that the state, then confirmit as said is, sould be cassin lowse, bot sould rather remayne in that same forme that then it was of, unto the tyme of the returne of the said Duc in the cuntrie. And therupoun the Queynis commissioners thocht expedient to direct the commendatar of Kilwynning to France, for the speedie returne of the said Prince.

In the meyne tyme the Regent directed certen men and shippis to the sea, to prosecute Bothuell, who could not be fundin in his Ducrie of Orknay, althoght it was supponit he maid his residence ther. Certen of his men war tayne, and put to the death for the fairsaid odious cryme ; and he escaping ther invasioun, addressit himself to the coast of Noroway, and being accompaneit with certen fyne schips, as Admirall of Scotland, and conducted be gude captens, they chancit to espy a fair ship of Turkie, then lying at ancor upoun that coast, within the dominions of the King of Denmark ; whilk ship he seasit upoun and maid a pray therof. Bot the capten of the narrest toun seing that ship takin away, whilk anis had maid obedience within the seas of his Prince, directit owt twa great ships to releve hir fra the handis of hir ennemeis ; and the invasioun being great for the pairt of Noroway, Bothuell was compellit to geve over, and so was led prea-

soner, his captens and mareners havilie tormented, and himself committit to siker preason, wherfra he was never fred to the death.

The Regent understanding of this accident, directed certain commissionaris to the King of Denmark, desyring to rander him back in Scotland to be puneist for the murther of the lait King Henrie, wherof he was giltie; bot it was refusit be the King, becaus he wald not acknaulege that auctoritie.

The Castell of Edinburgh being in the Regentis possessioun, as I have said, he thocht also expedient to have the Castell of Dumbar; and therefore summonit the Barron of Whytlaw, capten therof, to rander the same under the payne of treasoun; whilk at the first was sa constantlie refusit, that the Regent was constraynit to belay the hous about with soldiers, and to bring sum cannons from the Castell of Edinburgh for batterie of the hous. The capten persaving this, and knawing of na uther gude refuge or succor competent, randrit the hous to the Regent upon certain easie conditions. All the cannons and gunnis therin contenit wer careit to the Castell of Edinburgh; and the Kingis hous of strenth, whilk was a necessar ornament to the cuntrie, was decernit to be demoleist to the ground; whilk within few moneths thereafter was done.

During the finishing of that purpose, all the noble and gentilmen of East Lothien that were suspected to be favourers of the Queyne, or freyndis to the Duc of Orknay, war chargeit under hiest payne to subscriye obedience to the new elected Regent, and to geve ther ayd for prosecuting of the lait Kings

murther. Certayne of them, for ease of ther bodeis, to th'effect they sould not be spulyeit of ther rents, consented heirunto albeit aganis thair hartis ; uthers disobeyers wer denunciit rebellis, and ther guds confiscat to the Regentis use. And to th'effect that the Castell of Edinburgh, whilk was anis reallie in the Regentis possessioun, sould serve him for a sure retrait when he list, he bestowit the keiping therof to Sr William Kirkaldie of Graynge knyght, who keipit it als sure for him and his factioun, as the preceeding capten therof did for him that placit him ther, as is alreddy declarit : and as for the fact of this Capten it salbe shawin successivelie in the awin place, as occasion fell out on his part.

Heirefter a Parliament was proclamit to be haldin in Edinburgh agayne the saxtene day of December, and the Noblis convenit that day denoncit the Duc of Orknay a traitour, and so to be reput be all the Kingis liegis, for murther of the lait King Henrie.

Nixt, proclamation was maid desyring the Kingis subjects to accompanie the Regent, for suppressing of the disorderit thevis of the south bordors ; and in the meyne tyme, held Justice courtis in Glasgow for puneishment of vyces. And this is the particular soume of all things done in that yeir, 1567.

At the beginning of this year ther was exceiding derth of 1568. cornis, in respect of the penurie therof in the land, and that before hand a great quantitie therof was transported to uther kingdomes : For remeid wherof, inhibitions were maid sa far out of

season, that na victuall sould be transportit furth of the cuntrie under the payne of confiscatioun ; evin then when ther was no more left ather to satisfie the indigent people, or to plenishe the ordinar mercats of the cuntrie as appertenit.

The King of France having a perpetuall cair of the Queyne of Scottis, his sister in law, and sister in dignitie of office, directit ane ambassador of his, callit Monsieur Beaumont, in Scotland, to the Regent, requyring him to satisfie that his promeis maid to the King of France at his departure, whilk was to releive the Queyne from preasoun, and to set hir at libertie : And now he being constitut governour of the Realm, and accepting the same upon him, mycht the mair sufficientlie now performe this his promeis be himself, without anie tumult or daynger that might ensew ; having the King of France, his Maister, for his warrand, with sik a factioun as they tua mycht devyse in Scotland and abrod.

Bot he craftelie excusit the mater, saying that nather could he then geve competent ansuer therunto, nather yit could performe the same without consent of the thrie estaits of the Realm to be convenit in Parliament. And becaus ther had bene a Parliament sa laitlie concludit before his arryvall in Scotland, he could not therefore gudlie convocat a new assemblie so suddenlie without ther grudge ; and thus shiftinglie postponit the Ambassador, to his great greif.

Bot the Queyne in the meine tyme was vigilant and diligent for hir awin releif be hir subtile inventioun ; so as before manie dayis wer spent, the ambassador was fullie resolvit of that doubt :

For his entrie in Scotland was upoun the 22 day of Aprile, and the 27 day therof he gat audience of the Regent ; and upoun the fyft day thereafter, whilk was the second day of Maij, upon a Sunday at evin, the Queyne escaped furth of preason from the fortalice of Lochlevin.

Bot as for the maist part Princes ar sudden and wilfull in ther opinions of doing, and will not forsie to prosecute ther gude chancis aright, even so became of this Princes : For albeit she had that gude and rare luck, besyd the expectatioun of the greatest nomber of her weill willeris in Scotland, that hir subtill devyce was sa lang and weill concealit evin to the finall end ; yet the succes of this was als evill as the first. She had indeid subornit a gentilman, wha appearantlie sould have bene a more constant freynd to the capten of the hous, then to hir ; and that was George Douglas, brother-german to this Baroun of Lochlevin, wha had the cheif charge and gouvernement of the hous under his brother. Bot as the exceiding hunger of gold had before tymis intoxicat the hartis of dyverse valiant men, so this George was verie loth to want the benefite therof ; a fatall famine appeirantlie in that clan : For altho the eldest brother obtenit na benefite of this libertie, brocht to pas besyde his knawledge, yet within short tyme thereafter, he recompansit that loss with the selling of the noble Erle of Northumberland to the scamblis, and the Erle of Mortoun and he devydit the pelf amang them ; so as it is hard to tell who of thir thrie had ather the greatest honour or profit in sik doings : And as to the profit, it is thocht that none of them

had just occasioun to playnt ; bot as concerning the honour, I refer it to the censement of the indifferent reader.

The rest of the part of the Queynis libertie was performit be a gentilman callit Johne Beatoun, wha past oftymis betuix Lochlevin, Hamiltoun and Seytoun, with intelligence. Sa when all things war perfytlie and previlie aggreit upoun within the houns, thair was a certayne day prefixt to George Lord Seytoun, James Hamiltoun of Ruchbank, ather of thir haveing severall cumpeneis, to attend upoun hir owtcuming; and geve she sould happin to be within the bote, she sould geve a signe unto thayme for thair assurance, whilk was perfytlie performit. And when she was cum to the land, they horsit hir immediatlíe, with glaidnes on all sydis as ye may suppose ; bot how lang it indurit ye sall heir.

The Queyne was first conveyit to Nodrie my Lord Seytounis houns that nycht and within thrie houres tharefter she was transportit to Hamiltoun, whare Johne Archebischop of Sanctandrois, my Lord Hereis, my Lord Levingstoun, and my Lord Flemyng, with all thair forces, war convenit to the number of thrie thousand horsemen. This number thocht first expedient to send a message to the Regent, wha was then making his residence at Glasgow for the caus aforetauld, desyring him to auctoreis the Queynis Majestie and to repone hir in hir awin place againe as appertenit to gude reasoun : Bot he efter consultatioun had with sik noblis as war then present whilk war bot few in nomber, he refusit simpliciter ; so as the Queyne was compellit to prosecute hir just rycht perforce, and the Regent to defend his election be

the lyke. Proclamations war maid on bayth sydis ; for the Regent in Glasgow, for the Queyne at Hammilton, Lanrik, and sum uther capital burrowis : And becaus the Ambassador of France was directit to the Regent, and this suddan chance was fallin out in the meyne tyme, he desyrit the Regents licence to pas and speik the Queyne, saying he wald intreat for peax : And in the meyne tyme Johne Betoun ressavit his directions to pas first in Ingland, and then to France, to geve notice of hir libertie ; and he was dispatched with diligence. The Ambassadors procuring for peax availit nothing ; and before that Johne Beatoun could arryve in France with his message, behald all this joyfull libertie was suddanlie convertit to a tragicall captivitie, as it in the awin place salbe declarit.

It was deliberat in the Queynis counsall, that hir Majestie sould first be peaceablie reponit in the Castell of Dumbartan, thair to remayne till all the Noblis, and uther gentilmen of the land sould convene in Dumbartan at a Parliament, and to advyse of all general causis of the Commonweill, and in particular for the Queyne, and the young King. Thay sortit from Hammilton upon the 13 day of Maij to pas toward Dumbartan. The Regent understanding of this, he cawsit his cumpany to sort in arrayit battell, to stop the Queynis passage ; and came furth to a village callit the Langsyde, whare thay stude be the advantage of the grund. The gentilmen of the surname of Hammilton war on the Queynis vantgarde, and my Lord Hereis with certayne horsemen on thair wyng. On the Regents vantgarde stude James Erle of Mortoun, and Alexander Lord Home. The Queynis fore cumpany was sa-



evill conductit, that thay war led amang certayne ditches, and war sarelie stressit be shot of hagbute from the Regents syde ; and in respect of this incommoditie, being sa evill secondit be my Lord Hereis, and having sustenit great loss, war constraynit to geve baks. Thais gentilmen war the most tryit of all the Queynis syde. The arrere-garde, persaving thayme to be defait, did the lyke. The Erle of Argyle being Lieutenant of the Queynis camp, shew nather curage nor vassalage at this conflict. The Queyne fled with speid out of the feild to Galloway, on the west borders of Scotland fornent England. The slaughter was not great on bayth sydis, for it exceidit not the nomber of tua hundreth. The Regents folkis followit upon the chace a long way ; dyverse of the Queynis part war takin preasoners ; and the maist remarkable war George Lord Seytoun, the Shereff of Aire, Sir James Hammilton of Crawfurde-Johne knycht, Alexander Hammilton of Innerwick, Sir William Scot of Balwerie Knycht, James Heriot of Trabroun, James and John Hammilton of Garren, James Hammilton of Kinkavill, James Hammilton of Bothwellhauch, Alexander Baillie of Littelgill, and the Laird of Lachop, with sundrie uther substancious gentilmen. Thair was hurt on the Regents syde, [be the hand of the Lord Hereis,] my Lord Ochiltrie, with dyvers uthers.

The Noblemen that came to the feild with the Queyne war these ; Archibald Erle of Argyle Lieutenant, Hew Erle of Eglington, Archibald Erle of Cassils, Andro Erle of Rothes, my Lord Claud Hammiltoun, George Lord Seytoun, Johne Lord Hereis, Hew Lord Somervell, Johne Lord Fleyming, Robert Lord Boyd,

my Lord Ross, the Sheriff of Aire, and Sir James Hammilton of Crawford-Johne knyght, to the number of sax thousand men or thairby.

The Nobles and Gentilmen of the Regents part war these ; James Erle of Mortoun, Alexander Erle of Glencairne, Alexander Lord Home, Johne Lord Lyndesay, Robert Lord Semple, William Lord Ruthven, Johne Lord Grayme, and Secretarie Lethingtoun, to the number of thrie thousand or sum more.

The Regent having obtenit this victorie, returnit to Edinburgh ; whare he selectit certayne of the preasoners foirsaidis, and put thayme to the cognitioun of a Jurè in the tolbuyth of Edinburgh ; to wit, Alexander Hammilton of Innerwick, James Hammilton yongar of Kincavill, James Hammilton of Bothuelhauch and uther foure in nomber. The first day, na bodie comperit to accuse thayme ; on the nixt day, thay war brocht to the bar agayne, and thair convict be an assyse, and thair hands bundin to have sufferit death. Bot it pleasit the Regent to tak a new advysement, and commandit that binding to be relaxit ; and the preasoners war committit to waird agayne within the Castell of Edinburgh. And so to prosecute his victorie, he commandit all the Kings liegis to meit him in the toun of Bigger with diligence, in wearlyk maner, to persew the Queyne. And she during her remanying at Dundrian, sent a messinger to the Queyne of Inland, desyring hir passport, to pas throw that cuntrie in France, whilk immediatlie was grantit : And the Queyne of Inland thairwithall sent to the Queyne of Scotland a fayre dyamont ring, in a takin of freyndship, as the use of that cuntrie is ; bot it was convertit to falset or all was done.

For althocht she maid hir beleve, before she came from Scotland, even in the myds of hir distressis, that she wald supplie hir, yit it was never done be the least evill countenance that could be persavit aganis her enemeis. For in the begynning of hir trublis, she resset and harbareit, within her realme, the maist capitall enemeis that ever she had ; the ane was William Lord Ruthven, wha deit in the toun of Newcastle in Ingland ; the uther was James Erle of Mortoun, wha efter became Regent of Scotland, and made a violent end for a filthie caus. Besydis all this, althocht the Queyne of Scotland was entrit in Ingland be the Queynis awin permission, and great promeis of freyndship to follow thairupoun, be the takin of the ryng, careit be Sir Robert Melvill, now Treasurer of Scotland, [she] was committit first to the toun of Carlill, and nixt to the custodie of my Lord Scroope, whare she was sa circumspectlie attendit upoun, that for a lang tyme she was debarrit from all access to uthers, and all uthers debarrit from access to hir. And when she desyrit to have frie passage throw the cuntrie, according to the first condition of the passport, it was ansuerit, that sum Commissioners sould be sent to talk with hir at York, wha sould resolve hir of all thingis.

Bot to the effect I may return to my purpose, the Nobles of Scotland wha war convenit with hir at Dundranan, understanding hir bent mynd to pas in Ingland, thay withstude hir for many reasons ; allegeing that the Queyne and Counsall of Ingland ment na mair uprychtlie to hir at that tyme, nor they had done to dyverse of hir predecessors afore tyme ; and that was, to

keap hir sure within thair kingdome, never to cum lowse agayne, and to rewill be thair usurpit supposts in Scotland, as they had done before in the dayis of King Robert Bruce and many uthers, to hald this realme perpetuallie at under ; with many uther reasons dissuading hir from that purpose. Bot all was in vayne, hir will behuivit to be accomplieist ; thair was sa great beleif gevin to the passport, and to the ryng on hir part, that she gat never credence to requyt thayme with thanks ; and thus she past in Ingland upon hoip of forder courtasie. The Regent understanding of this, was uncertayne what to consave in mynd ; and in the meyne tyme had exponit sum soldiours toward Clyddisdaill, and thay entring in the Castell and Palice of Hammilton, obtenit great spulye ; whilk thay brocht to Edinburgh to the Regent in coffers as it was gottin, and he commandit the same to be sent to the Castell, under the custodie of Sir William Kircaldie of Graynge knycht : And then he wairnit all the Queynis parttakers at this last conflict to compeir before the secreit counsall, to ansuer for thayme selfis ; and thais that disobeyit, he causit thair chief howsis to be cassin doun, and thair guidis to be confiscat to his use, sik was the gredenenes of that tyme : And he thinking this not to be sufficient, did proclayme a Parliament to be haldin in the moneth of Julij ; agayne the whilk tyme all of the surnayme of Hammilton, and uthers parttakers with the Queyne, or favorers of hir factioun in any wayis, war summonit to compeir ; the disobeyers war maid proscript and forefaltit, to the end he mycht be also anoyntit with the fatnes of thair lands and rents ; for the whilk severe handling he gat sik a recompance as efter sall appeir.

Whill he rewlis thus in Scotland, to the greaf and hurt of many of the Queynis trew subjectis, notwithstanding of hir absence, tua famous Lords of Scotland departit the cuntrie towart London in Ingland, to Queyne Elizabeth and hir counsall, be commissioun of the rest of the Lords of hir factioun; to desyre that thay wald be sa gude as to send the Queyne of Scotland triumphantlie hayme agayne, with a competent number of valiant men to suppres hir rebellis; bot the intention of Ingland was never bent that way, as the progres and end declarit. During this season the Lords of Scotland of the Queynis factioun maid an uprore in the south-west part tharof, be instigatioun of Archibald Erle of Argyle, calling himself Lieutenant for the Queyne in thais partis; and be the Erle of Huntlie, calling himself Lieutenant for the Queyne in the north partis, be commissioun whilk was publiklie proclamit in Aberdene. Thay war deliberat to assailyé the Regent on all hands, and while he is at Sterling, his death was conspyrit be tua men; the ane was William Stewart, Lyon King of Armes, the uther was Patrik Hepburn Person of Kynnowll: And howsone the intelligence heiroyf was divulgat unto him, he causit inquyre for the men. The Lyon escapit at that tyme, and the Person was committit to preason and tharefter puneist. Bot the Erle of Argyle and certayne of his complices came to Glasgow, and assailyeit the castell tharof. Thir newis war careit in Ingland, bayth to Queyne Elizabeth and Queyne Marie: and sum Englishmen war directit to Queyne Marie culloratie, as thocht thay had bene hir freyndis; declaring unto hir, that she wald be thocht an unwelcome ghaist in Ingland, to suscitat rebellioun in hir awin cuntrie; she being thair under the

clemencie of thair Princes ; and tharefore geve she wald wish to be weill lykit of thair, she sould be a peax maker, rather then a breaker of peax : And this was done to mak hir partie daylie waiker, to the end that geve thay sould anis be separatit agayne, the Regent mycht the better be revengit on thayme. Wharupon she was persuadit, being then in my Lord Scroopis mentenance at Boltoun, to wryte to thais Lords, desyring thayme to stay for that tyme, and to separat thayme selfis unto the tyme that she war better advysit ; whilk thay obeyit. And to the end thay sould have occasioun to dryve tyme with the Queyne, wha daylie suittit to have the benefite of hir passport to be accomplieist ; and Ingland be the contrar never meaning nor understanding that ; thay ansuerit, that the Regent of Scotland had desyrit that hir Majestie sould not be sent bak agayne, as a person not worthie to beir rewill in a Commonweill, for many respectis, whilk he wald willinglie declare before the Counsall of Ingland, geve so it sould pleas the Queyne to hear bayth the parteis. This overture was thoght verie acceptable to the Counsall of Ingland, wha still desyrit na uther thing bot protracting of tyme, to put hir first grunds out of memorie. The Queyne of Scotland was urgit heirunto for hir part, at the whilk she stormit a litill : Bot it was replyit be the Queyne of Inglands messinger, that his Maistres was verie willing to pleasure the Queyne in all maner of way, provyding she might be resolvit of some doubtis newlie objectit aganis hir, the veritie wharof war verie necessar for hir to knaw. And becaus the Queyne was then cum in Ingland to crave sik reasonable help as may be sparit, and

tharewithall had accusit hir adverser ennemeis ; and they being accusit be the Queyne of Ingland for sik enormities as the Queyne had gevin in bill ; thay said, that thay war contentit to ansuer before hir Majestie in Ingland in these maters, and for thair part wald refer the censement tharof unto hir ; and therefore mekle mair sould the Queyne of Scots do the lyke, wha was cum to crave help upoun lefull maner, as thaydoubtit not. Upoun this fayre persuasioun she consentit in lykemaner to be hard ; bot this forme of doing bayth tendit to hir turpitude and skayth : For immediatlie Commissioners war directit from the Court of Londoun towart the citie of York, to meit thair upoun the 4 of October, as thay did : And therefore to assist the Queynis part, Duc Hammiltoun and the Abbot of Kilwynning landit in Ingland from France the last day of September.

Thair came from Scotland aganis the Queyne, the Regent Murray, James Erle of Mortoun, Patrik Lord Lyndesay, Secretarie Lethingtoun, my Lord of Orknay, the Abbot of Dumfermeling, Mr James Makgill, Mr Henrie Balnavis, and Mr George Buquhannan : The Commissioners of Scotland for the Queyne war these ; the Bishop of Ross, the Abbot of Kilwynning, the Lord Hereis, the Lord Levistoun, the Lord Boyd, the Laird of Lochinvar, the Laird of Skirling, the Laird of Rosling, and the Laird of Garnetullie. The Commissioners for the Queyne of Ingland, to heir thair complayntis of uthers, war these ; the Duc of Northfolk, the Erle of Sussix, and Sir Raph Saidler knyght.

The Queyne of Scotland compleynit to the Commissioners of Ingland, that she was evill handlit be hir subjects many wayis; and naymlie be thais thair present, to wit, the Erle of Murray Regent, and the Erle of Mortoun; first be committing of murther in her awin chalmer; secondlie be conspyring aganis hir at the Castell of Borthwick; and last of all be cuming tuyse in the feyld in weare-fayre aganis hir, whareby she was constraynit to flie out of the cuntrie. For thir causis she desyrit peceablie to be reponit to hir awin place agayne, to rewill as a lauchfull Princes; and that thais and all uthers hir subjects sould be compellit to recognosce hir as thair lauchfull Princes. This complaynt was subscriyvit as followis; Joannes Rossen, Levingstoun, Boyd, Hereis, Kilwynning, Flemyng.

The Regent and his cumpany ansuerit on this maner: It is notoriouslie knawin, that umquhile the Kingis grace was slayne; that the Queyne had mareit Jamis Erle Bothwell the principall actor tharof: And therefore to put the Queyne to fredome and furth of bondage, and to preserve thair native Prince furth of the hands of him that murtherit his father; for that caus they tuik armes, and offrit tua sindrie tymes to try the mater in singular battell, according to the law of armes; whilk was alluterlie refusit be him. Bot the Queyne foreseeing the daynger, cawsit him to be convoyit away; and thereafter she came willinglie to Edinburgh with us; and thare we requyrit hir, geve she wald be contentit to see the murtherers of hir husband to be puneist; and she gave us na answer, but sayd she sould be avengit on us, and wald avoyd the realme; and we heiring hir in these extremitis, war compellit to



sequestrat hir for a seasoun in preasoun, wharin she became sa unable, that willinglie she demittit that office of governement to me, James Erle of Murray, being then absent furth of the realme. It is tharefore requyrit on the Kingis behalf, that he, and his Regent, may peceablie enjoy and governe his realmes according to Gods calling, and that his disobedient subjects may be cawsit recognosce thair dewtefull obedience, and that justice may ressave full execution : and they subscriyvit thus : James Regent, Morton, Orchaden, Dumfermeling, Patrik Lord Lyndesay.

The Commissioners for the Queyne of Scotland replyit thus : Whereas our adversers do afferme, that King Henrie was murdreist, trew it is, and hir Majestie and we do havelie lament that tragedie, and war willing to have rigorouslie puneist the same, geve she had not bene unlaughfullie molestit : And whare thay allege the Erle Bothuell being the principall actor of that murthor, causit thame tak occasioun to put thayme selfis in armes, this cannot excuse thair disobedient fact contrair our Soverayne : For gif he was principall murtherar, it was never knawin to hir Grace ; Bot the contrar did weill appeare ; for he was put to the cognitioun of a Juré at the bar for that cryme, and was acquit thairof be his pearis ; whilk is also ratefeit in parliament, be the best and greatest number of the Nobilitie in Scotland ; wha also solistit our Soverayne Lady to accomplis hir mariage with him, as the maist faithfull and worthie man of all the realme of Scotland : Wharewithall never falt was fund, in till they had first practesit with the kepar of the Csatell of Edinburgh, and obtenit promeis of a great

number in the toun of Edinburgh to be thair assisters ; and dyvers uther haynous crymes of lesemajestie. It is tharefore requyrit in hir hienes behalf, that hir Majestie may be supportit and forfeit be the Queynis hienes of Ingland, peaceablie to enjoy and governe hir realme and lieges thairof, according to it that God has callit hir Grace unto ; and thair usurpit auctoritie to be estemit null fra the begining, with all that may follow thairupoun.

Thais reasons hard and sene be the Commissioners, and they having alwayis respect to delay, tuik thayme to be advysit with the Queyne of Ingland and hir Counsall ; and tharefore said, they sould tak jurney with all possible diligence. And when they war cum thither, and had exposit in writ the complaynt, answer, and reply, and the Counsall seming to find sum poynts thairof sa mistie, desyrit, that twa Commissioners sould be sent to Londoun for the Queyne, with full power, and uthers from the Regent. For the Queyne war sent the Bishop of Ross and the Lord Hereis ; and for the Regent war sent Secretarie Lethingtoun, Mr James Makgill, and Mr Henrie Balnavis.

During this remayning in Ingland, the Lords of the Queynis factioun war stirring, and dang out the imposit kepers from certayne houssis of strenth in Scotland ; as namelie, the Castell of Draffan and Rosling. And in the moneth of Februar, the Regent came hayme ; within few dayes efter, Duc Hammiltoun, my Lord Hereis and Lord Boyd returnit in Scotland : And albeit my Lord Duc had remanit all this whyle in Ingland, he was not permittit to have access to the Queyne. And to confirme the delay that

they ment alwayis to the Queyne, they pat the Bishop of Ross hir commissioner in preasoun, within the Tour of London, and daylie maid hir pairty waiker, that the Regents partie mycht be strang-ar. He tharefore addrest himself towart Hammiltoun, with a reasonable cumpany of inarmit men, to rander all men under his obedience in the Kings nayme : And being then in Glasgow, to have cum fordwart, Duc Hammiltoun and the Bishop of Sanct-androis persaving the delaying, shiftis, and falset of Ingland towart the Queyne, and thaymeselfis without a heid, unable to do any thing, deliberat to compone with the Regent. Thay sent thair message afore hand unto him, to desyre commoning, whilk he grantit ; and efter lang talking familiarlie ane to another, they set down these articlis following :—

It is desyrit upon the part of my Lord Regent, that my Lord Duc and his adherents sall recognosce the King and his auctoritie, and acknaledge thayme selfis to be his subjects, and promise unto him service, obedience and fidelitie in all tyme cuming, as unto thair Soverayne.

It is requyrit on the part of the Duc his grace and his adherents, that everie nobleman be admittit to have his place in counsall, as thair predecessors has bene in all tymes of uther Princes of this realme. And my Lord Regent, berand the Kingis auctoritie, salbe sworne solemnly, fra that tyme fordwart, to behave himself uprightlie and indifferentlie to thayme, as to the remanent noblemen of this realme, in all thair honest and just causis, with-

out particularitie or remembrance of any offence consavit amang thayme, during the tyme of thir controverseis.

Item, that all thais wha salbe content in tyme cuming, to behave thaymeselfis as faithfull subjects to the King, and acknowledge thair obedience to him, salbe restorit to thair landis, bounds, heretages and possessions, notwithstanding the dome of forfaitor led aganis thayme: Provyding alwayis that this benefite sall not be extendit to thame that hes bene forfaitit for airt and part of the slauchter of umquhill the Kings father.

Item, that my Lord Regent, and remanent noblemen joynit with him, sall condescend to sik heiddis and articles as may redound to the Queynis honor, advancement and commoditie, and may best serve hir turne: Provyding that the same be not prejudiciall to the King nor his soveranitie, whairupoun dependis the securitie of all noblemen, and uthers professing thaymselfis to be his subjects

And becaus my Lord Regent and uthers on his part are alsweill content to yeald to thir reasonable desyris fairsaidis, as to crave the performance of his desyre towart the Kings obedience at thair handis, and will weill that all cum in at a tyme togither, becaus now publik laser can not serve to compleit thais things that ar necessar to be done to the Queyne; It is thocht convenient, that on the tent day of Aprile nixt to cum, salbe assemblit and convenit togither in Edinburgh in quyet and peceable maner, thir persons following: Thais ar to say, my Lord Regent, my Lord Duc, the Erle of Huntlie, Erle of Argyll, Erle of Atholl, Erle of Mortoun, Erle of Mar, Erle of Glencarne, and my Lord Hereis; and

in case of absence of any of thir nyne persons, be seiknes or uther lauchfull impediment, another nobleman of that pairtie salbe chosen to supplie his place ; and thair, in freyndlie maner, to treat, conclude, and aggrie upoun sik headis as salbe performit to the Queyne ; and what the saidis persons sall find to redound to hir honour (without prejudice to the King,) the haill noblemen on baith sydis sall condescend thareto. And for securitie of the cuning of the Nobilitie foirsaid, my Lord Regent promiseissis, on his honor, that thay salbe skaythless, and without daynger in thair cuning, remayning, and returnyng.

Item, it is aggreit, that my Lord Duc of Chattellarault, nor his adherents, sall not challenge, use, nor execute any auctoritie of Lieutenantrie, be any commissioun of the Queyne ; or that any impediment be maid be thayme aganis the Kings auctoritie in the meyne tyme ; and ordanis forces of fensible men to be dissolvit on all syddis, that na injure be done to any subject be way of deid.

The Regent promiseissis upon his honor to performe sa far as concernis his part ; and tharefore, willis the Duc his Grace, the Erle of Cassills, and the Lord Hereis, to enter sufficient pledges presentlie for performance of thair partis, to wit, ane of my Lord Duc his sounes, the Erle of Cassills, or his brother, and my Lord Hereis, his eldest sone.

Their articles being concludit and endit, thay past togither to Mirling to vissite the yong King ; whare the Duc his Grace and the Bishop of Sanctandrois war maid welcome. And as concerning the entring of the pledges, becaus nayne of my Lord Duc his

sonnes wald enter, the Bishop entrit for that part. The Erle of Cassils and my Lord Hereis remanit still of thair awin accord, and sent for thair pledges to cum and releve thayme. Tharefter the Regent came to Edinburgh; and for his first arryvell, to geve a testimonie how willing he was of peax and tranquillitie, he relaxit all the preasoners before tauld, condemnit persons and uthers from captivitie for a tyme, upoun conditioun that thay sould enter agayne when thay sould be requyrit; and for the performance heirof, thay fand caution.

The Erle of Huntlie in the north of Scotland, was exercesand his office of Lieutenentrie, with all rigor, aganis thais that had de-clynit from the Queynis auctoritie in any sort; and had assemblit a sufficient armie to have subdewit the provinces of Mernis, Angus, and Fyff; bot being adverteist of this foirsaid appoyntment, thocht meat to cease.

The Regent also, for his part, to pacefie tumults and oppressiouns in the south, past in Liddisdaill, and thair demoleist the housses of Mayngertoun and Whythauch, for the unlauchfull behaviour of thair maisters.

And as the day appoyntit to treat and conclude of the purposes 1569. concerning the Queyne and uthers of hir syde approchit, all parteis for the Queyne, upon hoip of the assurance foirsaid, grantit unto thayme, convenit in Edinburgh the tent day of Aprile: And when, as all parteis war set down, and begun to reasoun of the mater, it was proponit for the Regents part, to Duc Hamiltoun, and thais Lords of the Queynis part, whither thay wald not absolutlie sub-

scryve thair obedience to the Kings auctoritie or not ? It was answerit, that articlis war red and concludit conditionallie, and that thay war na mair debtfull to shaw thair obedience to the King, then the Regent was to performe certayne conditions for the Queynis honor, as the commoning was before : And tharefore, thay sould not be sa straittit or trappit, at the first, unto the tyme that the questioun for the Queyne sould have equall place with that of thairs : And tharefore, geve he wald deall trewlie and faythfullie with thayme, according to the trew meaning of the articlis, thay war not only thair present, in persoun, for performance thairof, bot alsua thair pledges war in my Lord Regents keaping. In respect of this ansuer, the assurance was brokin aganis bayth honor and promise : For, first, my Lord Duc was detenit in my Lord Regents chalmer, from his awin logeing, for the space of aucht dayis ; and tharefter, without any further commoning, was committit to preasoun within the Castell of Edinburgh ; and the verie first nycht, the Lord Hereis, lait at evin, was compellit to lodge in that castell also.

In the moneth of Maij, the Regent maid progres first to Sterling, whare four preistis of Dumblayne war condemnit to the death, for saying of mes aganis the act of Parliament ; bot he remittit thair lyvis, and causit thayme be bund to the mercat croce, with thair vestments and chalices in derisioun, whare the people caist eggis and uther villanie at thair faces, be the space of ane hour, and thairefter, thair vestments and chalices war brynt to ashes. From that he past to Sanctandrois, whare a notable sorce-res callit Nic Neville, was condemnit to the death and brynt, and

a Frenshman callit Paris, wha was ane of the devysers of the Kings death, was hangit in Sanctandrois, and with him William Stewart, Lyoun King of Armes, for dyvers poynts of witchecraft and necromancie.

In the moneth of Junii, Robert Lord Boyd came from England, in message to the Regent, from the captive Queyne, desyring that the proces of partitioun betuix hir and the Erle Bothuell, sould be deducit before the Commissers of Edinburgh, to the end she mycht the mair frelie adjone herself in mariage with the Duc of Northfolk; secondlie, that she mycht have the Regents consent, with the haill nobilitie of Scotland, to this purpose; and last of all, that she mycht be repossess peceablie to hir awin kingdome. The Regent convocat his counsall, and introducit the ambassador to declare his petitions; and when he had exponit thayme, as I have heir set thayme doun, he was immediatlie removit for a verie small tyme, and thareftir callit in agayne; to whome thay gave a compendious ansuer, that nather wald thay deal in any cace for hir in this cuntrie, nather wald thay consent to hir pretence of mariage, nor restore hir to hir kingdome. Tharefter thay sent adverteisment of thir petitions, and thair ansueris therunto to the Queyne of England, wha was als glaid tharof as thaymeselfis: For fra heir furth, the Queyne of Scotland was daylie keapit straiter in England; and the Duc of Northfolk put in sik disgrayce with his Prince, that he gat never repose in this warld, till he had lost his heid, for this pretence onlie; and the Lordis of the Queynis factioun in Scotland put to sik straits, that it was not thocht suffi-



cient to be plagit be thair ennemeis at hayme, unles the Queyne and Counsell of Ingland had performit the extremitieis tharof, as salbe sufficientlie declarit : Sa that the redar sall have ample testimoneis and examples in nomber to juge, whither from the begynning to the end thay did not, under cullor of freyndship, annoy the Queyne and hir freyndis, or did promote hir ennemies ; and sa let writ and work beir witnes.

The Lords foirsaidis being thus unhonestlie incarcerat, the Erle of Huntlie finding himself destitute of his freyndis in the sowth, entrit himself to the Regent, upon certayne conditions : Bot nane of thayme was keapit ; for immediatlie tharefter, the Regent past to Abirdene, and thair cawsit ilk man that assistit the Erle of Huntlie, to compone for sik unreasonable sowmes of money, whareby the greatest part war beggerit, from the best to the meynest, to the end thay sould be the mair unable to mak insurrection agayne : And in the end of this yeir the Erle of Argyle maid also his obedience.

In the moneth of August, as the Queyne of Scotland was preparit to have returnit hayme, with assistance of the Duc of North-folk, the Queyne of Ingland not only sent adverteisment tharof to the Regent, bot dischargeit the Duc of that his purpose ; whareby it fell out, that the Regent being put in a doubt, wrait to the nobilitie to repair to Stirling in haist. The Erles of Athol and Crawford war cuming to the Conventioun, and be the way hapnit to be hunting about Dumblayne ; and Secretarie Lethingtoun being in thair cumpany, the Regent suspectit that thay war practesing

sumwhat for the Queynis returne, whilk he dreidit. Alwayis, when the Lords war all convenit in the counsal hous, thair was a gentilman callit Thomas Crawfuird, servand to the Erle of Lennox, intromittit, and he in presens of the Regent and the Lordis, accusit Secretarie Lethingtoun of the Kings murther. The Secretarie presentlie offerit him to find caution to be ansuerable to the lawis for that cryme, howsone he sould be requyrit thareto. Crawfuird replyit, that becaus he was accusit of treasoun, he sould not be permittit to find caution, bot sould be compellit to remayne in preasoun, till he sould be tryit ather cleyne or giltie; and the Lords voittit, that he sould be empresonit. The Erle of Atholl was heirat havelie commovit, and departit from Stirling immediatlie. This accusatioun was devysit be the Regent and the Erle of Mortoun; and that same verie nycht, he directit sum gentilmen to Monymaill in Fyff, to apprehend Sir James Balfour and a brother of his, who war also empresonit at Stirling.

The Secretarie was convoyit to Edinburgh Castell, and Sir James Balfour was fred, to return upoun caution when he sould be requyrit, and that never befell, for sum secret causis amang thame. The Lord Seytoun was commandit to enter himself preasoner in Edinburgh, whilk he obeyit; bot shortlie tharefter he was commandit to preason in Sanctandrois.

At the day when Secretarie Maitland sould have bene broght furth to the cognitioun of a Juré, the capten of the Castell of Edinburgh comperit in presens of the Regent, and sayd, that he was reddie to produce him in jugement, geve any body war pre-

sent to accuse him. And thereafter the Secretaries brother compeirit in judgement before the Judge criminall, and protested that his brother could not be haldin to ansuer any further in that matter, becaus ther was no person ther present to accuse him. The Lord Home was commandit to reteir himself furth of the toun of Edinburgh, to mak place to Mortoun his ennemie.

The Regent was daylie bissie, to have had the Castell of Dumbarton in his hands, and had directit my Lord Grayme sindrie tymes for that effect, bot came na speid. Tharefore he directit furth sum soldiers to camp about the hous, that na victuals sould be permittit to enter ; and in the meyne tyme he causit forfalt the Lord Fleyming and his brother, kepers thairof. Bot or it was lang, evin in the short tyme of wynter, thair came twa Frensh ships laiddit with wynis, saltit beif and porc, with store of money, that procurit an intestine wear, and unlaidit thaymeselfis at that castell, whilk the capten thankfullie ressavit.

At this tyme, what kynd of uprore fell in England, I refer it to the writters of that cuntrie ; bot alwayis becaus thair is a mater of thairs incident to this purpose, it sould not be left unspokin. The mater was this : The Erle of Northumberland fled in Scotland for releif, and wald fayne have bein convoyit to the Castell of Dumbarten ; bot the Regent being then upon the borders, be expres directioun of the Queyne of England, to attend upoun Englishmen, geve any sould happin to cum in Scotland, for she had preparit an armie at hayme to assaile thayme thair, and the Regents horsemen espying sum strayngeris to cum in amang the clan

of the Ellots, they layd about the hous. The Ellots defendit stoutlie, and slew a gentilman of the Regents, callit Capten Borthuik ; bot in end thair partie grew waiker, whareby the Erle was tayne preasoner, and led to the Regent, and he broght him to Edinburgh ; bot without lang proces causit him to be convoyit to Lochlevin, thair to be straitlie keapit, till he payit an odious ransome, to the great ignominie of the cuntrie : Bot wha begynnys with treasoun, thinkis na syn to end with falset. Within few dayis tharefter, the Queyne of Ingland sent in hir ambassador to the Regent, desyring the Erle of Northumberland to be sent bak in Ingland ; bot before the Regent could have sufficient laser to geve him answer in that mater, he was slayne, as ye sall heir.

I maid mentioun afore of the unhonest dealing to the Duc of Chattellarault, and the Lords of the Queynis factioun, wharat and for another particular caus he was sa deidlie haittit, that his death was conspyrit be a particular man callit James Hammiltoun of Bothuelhauch : And althocht the Regent was sufficientlie forewarnit, bayth of the man, and of the place of his interpryse, yit he regairdit sa sleuthfullie that mater, that it turnit to his paynis. This James Hammiltoun, amang many uthers curagious gentilmen of that clan, hapnit to be at the feyld of Langsyde with the Queyne, and being tayne preasoner thair, he was condemnit to the death, and was lettin lowse agayne, as ye have hard ; yit according to the unreasonable law of Scotland, not onlie his proper landis war confiscat to the King, bot also the landis of Woddislie, perteyning heretable to his wyff, was also confiscat, whareby thay

war bayth put to shift : And the saikles gentilwoman, not thinking to be puneist for hir husbands fact, sat down in hir awin hous, whare she intendit simplie, and *bona fide*, to have remaynit, bot was uncourteslie and unmearcifullie put thairfra, all hir gudis tayne from hir, and she left stark naikit. The gentilwoman, what for greif of mynd, and exceiding could that she had then contractit, consavit sik madnes of spreit as was almaist incredible. Hir husband having ressavit these thrie incommoditeis, was deliberat to put his lyfe to fortune, and avowit in dyvers opin cumpaneis, to be avengeit on the bastard Regent, (for thais war his ordinar words ;) and thus desperatlie, upoun the 23 day of Januar, he came to Lithgow, whare the Regent was then remanyng, and addrest himself to a tymber gallerie, on the hie streit of that toun, whare he knew weill that the Regent was deliberat to pas at his outcuming ; and thair, upoun the pavement of the said gallerie, he layd a fether bed, and upoun the wyndo thairof, he affixt blak clothis, that his shaddow sould not be sene, nor his feit hard, when he went to or fro, and cuttit a small hole of the blak cloth that coverit the traleis, whareby he might vissie with his hagbute, to be the mair certane of his interpryse. At his incuming to the logeing, be a back passage, he espyit how commodiouslie he myght mak his retrait upoun horsbak ; and finding the lyntell stane of the bak yett to be sumwhat laigh, he cawsit his man to lift it af, and lay it at a syd of the way. His hors stude in the stable, brydlit all that nyght of his entrie, and the best part of the nixt day, till his consavit interpryse of revenge was

performit. The Regent being on horsbak, to reteir furth of the toun, his passage fell directlie fornent and under the gallerie, where the said James Hamiltoun was attending upon his destination purpose, whereanent be chance he was constraynit to stay a litle, becaus the people on horsbak war sa many before him, that for the narrownes of that passage, thay could ryde bot at laiser, and few in nomber; so that his opportunitie was sa fyne, and he not willing to lose any tyme, went sa quicklie to wark, that incontinent he shot his hagbute directlie aganis the Regents belt, where thair entrit a bullet of steill temperit, that efter it had persit him throw the bodie, it persit also a horse nar by, to the death. Incontinent tharefter, he ran to the stable, and lap on horsbak, and furth be the bak way he went. Dyvers gentilmen followit him fearcelie; bot he being upoun a fyne spedie hors, overran thame all, and escapit the imminent dayngers that war preparit aganis him.

The Regent thus endit his triumphant warldlie dayis in sic sudantie, and tragicallie, as ye have hard. He was the sone of a valiant King, James of Scotland, the Fyft of that nayme, wha as he was sumwhat luxurious in his youth, and weil belovit of gentilwomen for his courtes affabilitie, sa war thay also belovit of him, whereby it fell out, that he begat many childer befor his laughfull mariage, with famous ladeyis, of whais nomber this Regent James was the first; who in maners was verie courtes and affable, of a fyne proportioun of bodie, of a gude and amiable vesage, weill learnit in humayne sciences, devote after the fassioun ressavit in

that eage, bot was sa credulous, that he forgat his promeis, and consequentlie his wit and honestie. His body was bureit in the Collegiall Kirk of [St Geills at] Edinburgh, in a speciall tombe preparit for that effect.

Geve devisions, and tumults war great in this Regents tyme, thay war na less efter his deceis, bot rather greater, and of a mair difficultie to be pacefeit; for be his suddan slaughter the ambassador of Ingland returnit without ansuer. George Lord Seytoun past out of preasoun, the Erle of Westmureland entrit in Scotland, fugitive from his awin cuntrie, as Northumberland was, and addrest himself to twa famous borderers, to wit, Balcleuch and Ferneherst. Thay at his procurement, convocat numbers of horsemen, and past daylie in Ingland, burnand, destroyand, and slayand the Queynis and thair enemeis, tennents and lands; whareby she thocht expedient to send in a new ambassador, desyring the subjects of Scotland to be pacefeit and puneist, and hir rebellious subjects reterit in Scotland to be sent hayme, to ressave sik a recompance as thay deserve: And withall he gave money to the Lords of the Regents factioun, to conduce soldiors for mentenance of thair caus, aganis the Queyne of Scots and hir favorers.

The Erle of Mortoun, being destitute of a fyne favorer of his former actions, and he being in estimatioun above the rest of the Lords of that factioun, he sent his letters to dyvers of the Nobilitie, and cheiflie to sik, as he knew haittit the Queyne and hir caus, to conveyne in Edinburgh, agayne the 12 day of Februar

nixt to cum, thair to consult, upoun the electioun of a new Regent, that ather he myght be electit himself, or at the least, sik a ane as he myght command at all peces.

The Queynis factioun was als bissie on the uther part, and convenit in Hamiltoun, with Archebald Erle of Argyll, the Lord Flemyng, the Lord Livingstoun, and the haill gentillmen of the Hamiltouns. Thay directit a letter to the Nobilitie, then convenit in Edinburgh, desyring thayme in the Queynis nayme, to conclude na thing at that Conventioun, unto the tyme that the rest of the Nobilitie and thay sould concur with thayme; that all, or at the least the moneast voittis, sould serve for all the rest, and the best reasoun sould cary all with it. Utherwayis geve thay sould seme to contem, and not allow of this requeast, thay certifeit thayme, be that letter, that thay wald cum upoun thayme, as enemeis to the commoun peax of the cuntrie, and traitors to thair awin undoubtit Soverayne Prince, Queyne Marie, and that with fyre and sworde, and for this effect wald geve God the caus. The Lords red this letter, bot estemit the samin not worthie of an answer; bot immediatlie tharefter publeist a Proclamatioun to the people, wharin was contenit, That becaus a Hamiltoun had slayne the Regent, and was reterit to Hamiltoun efter that fact, whare he was ressavit, and allowit, thay commandit all the Kings trew subjects, to shaw thaymeselfis profest enemeis to thayme, utherwayis thay sould be reput as doars of that deid ilkane of thayme.

Then the Secretar finding his tyme commodious, delt sa with the Lords convenit in Edinburgh, be intercession of the capten



of the castell, that he obtenit of thayme what he wald ; sa that thay all in a voce, voittit, declarit and testefeit, that as thay nor nayne of thayme, knew the said Secretarie to be culpable of the said murther, nor wald not accuse him of the same, sa thay estem-it him innocentlie to be calumniat in tyme bygane in the said matter, tending to the prejudice of the Kings estait, and his trew subjects, and therefore acknowlegeis and recognoscis him, as an honest man, innocent of the saidis maters, wharof he was heirtofore saikleslie calumniat ; accepting and ressaving him, in his awin place agayne, lykas they acknowlege him to have bene a gude and profitable instrument in this Commonweill, in dyvers and great causis, for the furthsetting of Gods glorie, and the repose and quyetnes of his native cuntrie. Subscryvit, Athol, Mortoun, Lyndesay, Cathcart, Cassils, Mar, Glencairne, Montrois, Buchan, Ruthven, Glamis, Lovat, Vchiltrie, Methven, Adamus Orchaden, Dunfermling, Cambuskynneth, Dryburgh, Balmerinoche, Pittinwyme, Tullibardin Comptroller, Justice Clerk.

This done, he was delyverit from preasoun, and with him my Lord Seytoun ; and the Lords past that day afternone to the Castell of Edinburgh, and thair inquiryt of the Duc of Chattellarault, geve he knew any thing of the slaughter of the Regent ; wha gave his aythe, that he knew na thing of that purpose, till it was tauld him that it was done.

In the moneth of Marche the Lords of bayth factions comperit in Edinburgh ; the Queynis factioun logeit thaymeselfis nar the Castell, and war callit be the uther partie in derisoun, the Lords

of the Meill mercat ; for the Secretarie also lugeit thair, and of his nature, as I tauld you afore, was subtile, and was sufficientlie studeit in the preceptis of Nicolas Machiavel. And heir it is to be notit, that what be the empresonement of the Lord Seytoun, Secretarie Lethingtoun, and my Lord Duc of Chattellarault, the capten of the Castell of Edinburgh was dissuadit from his former opinioun. When thir parteis war convenit in counsall, thais of the Queynis part proponit, That thair Soverayne sould ather be restorit be the pluralitie of voittis thair present, or uthers ma to be convenit, before thay sould dissolve, or els that be thair generall consentis, sum worthie Lieutenant, or Viceroy sould be electit to rewill in hir place, for whais mentenance, ather propertie or casualitie, appertening to the croun, sould be designit, and the rest to the Queyne for supplie of hir unlaughfull detentioun. The uther partie, hering that thair was na mentioun maid of the King to regne be a tutor in soveraintie, bot that the Queyne sould be preferrit, could not, nor wald not, understand thayme, nor geve answer in that grund without advysement ; and tharefore sent adverteisment to the Queyne of England, desyring hir advyce in this purpose, as in uthers afore tending to this fyne ; and withall, directit thair letters to Matthó Erle of Lennox, grandfather to the young King, desyring him to cum in Scotland, and they wald prefer him to be Regent to the King, and defend him tharin, becaus the place then vaikit be deceis of the former Regent, whairof also thay maid the Queyne of England then previe.

The King of France directit also his letters in Scotland, be his

ambassador Monsieur Verac, to everie nobleman in particular that favorit the Queyne ; and efter his arryvall, hir enemeis in Scotland wrait to the Queyne of Ingland for hir sure detentioun. Heir the mater began at sik stryff, that the haill realme of Scotland was sa devydit in factions, that it was hard for any peaceable man, as he rayd out the hie way, to profes himself oppinlie, ather to be a favorer of the King or Queyne. All the people were cassin sa lowse, and war becum of sik dissolute myndis and actions, that nayne was in accompt, bot he that could ather kill or reve his nychtbour. All gude policie and law, justice and equitie was bureit ; as it becumis for the maist part of all commonwealthis, yea evin of privat families, that when ather of thayme ar destitut of thair laughfull and ordinar heid or governor, ilk privat person rewlis as he list, or may perforce, for his awin preferment and commoditie, without regaird to ryght and reasoun.

And as concerning Matthó Erle of Lennox, wha was desyrit be thir Lords foirsaidis to retorne in Scotland, wha had sene sa mekle of the unstable miserie tharof afore, and had sufficientlie sufferit in his awin persoun, first be baneisment, and nixt be sorrow and distress of mynd, as any father myght have had for the death of sik a princelie sone, could not tak hald of any of thais motions to contene himself in Ingland, whare he levit in honor, wealth, and ease : Bot as warldlie men ar for the maist part addictit to temporall pomp and glorie, and hes na respect to the instabilitie of estaits, sa was he ; as the progres of his lyfe was never in rest, fra his entrance to this office, whilk he efterwart obtenit,

that evin the verie day and hour of his death was sa tragicall, that he endit not without sorrow and extreme payne, as salbe declarit heirefter.

The Queyne of Scotland sent also the Laird of Garnetullie 1570. from England, with letters to the Erle of Mar, desyring him to keap hir sone the Prince from the hands of hir enemies, and to be a meyne to restore hir to hir place agayne, as his dewtie was; utherwayis to assure hir enemeis, that geve thay wald not spe- delie be content and procure hir returne, that the King of France wald with all rigor be avengit on thayme. He broght uther wryt- tings to the rest of the noblemen of hir pairt. Thay, in the moneth of March 1570, first assemblit in great nomber at Noodrie Sey- toun, and thair deliberat to meit in Lithgow, the 8 day of Aprile nixt to cum. The Lords of the uther factioun, dreading sum tumult to ensew, for thay understude their adversers to be greavit, for the lang detentioun of the Duc of Chattellaraunt in preasoun, thay not onlie relaxit him, bot also the Lord Hereis, furth of the Cas- tell of Edinburgh.

Thair convenit in Lithgow at the appoyntit day, the ambassa- dor of France, my Lord Duc, the Erles of Argyll, Huntlie, Atholl, Crawford, and Cassillis, the Lords Home, Fleyming, Boyd, Sey- toun, Yester, Somervell, Olyphant, Ogilvie, Borthuik, and Hereis, my Lord Secretarie Lethington, and Sir James Balfoure, the twa baneist Lords of England, the Erle of Westmureland and the Lord Dacres; and thair, efter thay had advysit of a secret ansuer, to be sent in France for depesh of the ambassador, thay thocht not

the toun of Lithgow a sure place for thair remaning together, and geve thay sould dissolve, thay ferit that thair enemeis, be assailyeing thame in particular, sould sone mak thair pairtie waiker ; and therefore thay directit James Heriot of Trabroun to the magistrats of the toun of Edinburgh, desyring that thay might be ressavit thair ; whilk was grantit upon this conditioun, that nayne of the fugitive Lords of Ingland sould be broght with thayme, and thus war ressavit ; alwayis the Lords war sa myndfull of the saiftie of the noblemen of Ingland, that the Lord Home tuik exceiding great care on thayme, and convoyit thayme whare thay list ; and in end maid provisioun for a ship, whilk with expeditioun and gude luck, convoyit thayme baith saiflie to Flanders.

The Queyne of Ingland was commovit at this stark conventioun of the Lords of Scotland ; and fearing least this gude treatment of hir rebels sould suscitat sum new seditioun in Ingland, and that the King of France, be sending of his frequent ambassadors to the Queynis factioun, sould also make a strangar partie, she directit the Erle of Sussex in Scotland, for twa cheif causis. The ane was, for the saif convoy of Matthó Erle of Lennox in Scotland, to fortefie, estableis and hald him in that regement that was offerit to him in Scotland, assuring himself, that he, wha was sa lang norishit within her commonweill, wald attempt nathing in Scotland, bot ather she sould be maid previe to it, or hir consent thairunto sould be cravit ; whilk indeid was effectuellie accomplieist. The uthar caus was, to be reallie revengit upoun thais of the Queynis faction in Scotland, wha had resset hir rebels, and invadit hir

cuntrie aganis the common peax. The Lords of the Queynis part, wrait unto him, desyring that he sould not cum in Scotland, for thay sould repayre him of any injurie that he wald playnt of justlie, bot he refusit.

It was aggreit be bayth the factions to put thair mater in arbitrie. The men, place and tyme appoyntit for the Queynis part, war the Erle of Atholl, the Prior of Coldinghayme, brother to the Secretarie, and my Lord Boyd. For the uther part was James Erle of Mortoun, and Robert Commendator of Dunfermeling. When thay war convenit in Dalkeyth, ilk ane of the parteis war sa wilfull, and contrarious of thair grunds, the ane contending the soveranitie of the King, the uther the laughfull soveranitie of the Queyne, unlaughfullie deposit and empreasonit, that thay never condisceidit upon a myds, whilk of nayne of the parties was wyselie considerit, in respect of the great desolatioun that the commonweill was redactit unto ; sa that this great purpose was left als debatable as it was afore. Wharupoun it followit, that ilk partie drew to fensible weapons, and the ambassador of France was directit to his jurnay, and went to the Castell of Dumbarten with the Lord Fleyming. The Erle of Sussex entrit with his armie on the south border of Scotland, wher he first brint and caist down the hous of Ferneherst, and the hous of Braxholme ; he brint also the toun of Hawick, and did great outrage in the Merse, and upoun the lands and tounes pertenyng to my Lord Home.

My Lord Duc of Chattellarault, was at this foirsaid conventioun relevit from preasoun, out of the Castell of Edinburgh ; and

the Erle of Mortoun hering of sik innovations, and many people to be convenit in Edinburgh, was advysit to cum with a number of inarmit men to that toun, to compell the Duc, the Erle of Huntlie, and the rest of that factioun, to reteir thairfra perforce; and the capten of the Castell as I said to you afore, was alreddie becum thair great freynd. And he understanding of this preparatioun, set watches to espy the tyme of his approching to the toun; and as he was nar, the capten causit delashe a pece of great ordonance amang his cumpany, that pat him in sik a fray, that nather he nor any uther of that factioun, presumit for a lang tyme to approche to Edinburgh.

The armie of Ingland assailyeit also the Castell of Home, whilk immediatlie was randrit, and spulyeit. The magistrats of Edinburgh, crediblie informit that the Erle of Mortoun was past unto thayme, and apperantlie wald solist thayme to cum fordwart, the magistrats desyrit the Lords, whome thay had harbareit of courtasie, to reteir to sum uther part, for feare of the daynger that myght follow unto the toun be thair presence, whilk wald not happin in thair absence. The Lords, becaus they war first willinglie ressavit thair, thocht gude to pleasure thame in that cace, and so departit with a number of soldiors that thay had prevelie conduit, within a short space, for thair defence. And in thair way passing to Lithgow, as the Erle of Mar was cuming to Edinburgh, the Duc with his cumpany placit thair men in battayle, of purpose to have fochin. Bot Mar being unprovydit, reterit out of the way, and wald shaw na defence at that tyme.

The Lords of the uther factioun hearing of this, maid proclamations, that nayne sould assist sik tumultuous persons, under the payne of death ; with command to magistrats of burrowis, geve thay sal happin to cum within thair bounds, to tak and apprehend thayme. On the uther part, proclamations war maid in Lithgow, chargeing all subjects in the Queynis name to accompany the Duc of Chattellarault, the Erles of Huntlie and Argyll, as hir chosin Lieutenents, under the payne of death.

The capten of Edinburgh castell, behaulding these extremeteis, and dreading that be the incuming of Inglishmen, he sould be trappit sum way, was deliberat to fortefie the castell with all necessars, as he did with expeditioun. The Queynis enemeis directit the Abbot of Dumfermeling to London, requyring the support of inarmit men for defence of the Kings caus, and for suppressing of thais wha favorit the Queene, and in the meyne tyme to send hayme Matthó Erle of Lennox. Thir petitions war quicklie grantit unto, upoun condition that thay sould geve in sum noblemen and gentillmen as pledges in Ingland to remaine thair till hir soldiors sould saiflie cum bak agayne. This was willinglie performit ; for the Erle of Moirtoun was sent Dowglas of Kilspindie, James Erskine for the Erle of Marr, my Lord Ochiltrie for himself, James Lindesay of Pyatstoun for my Lord Lyndesay, Cunynghame of Waterstoun for the Erle of Glencairne, Allaster Ruthven for my Lord Ruthven. Thir pledges being entrit in Berwick upoun the tent day of Maij, Sir Williame Drowrie, governor of Berwick, accompaneit Matthó Erle of Lennox in Scot-



land, upoun the 11 day of Maij 1570, with the number of a thousand futemen, and of light horsemen and demylances to the number of thrie hundreth, with foure peces of ordonance, and came to Edinburgh the 13 day of Maij; and upoun the 20 day of that same moneth the Queynis adversers and the Inglish armie convenit at Hamiltoun, and in thair progres demoleist the housis, and waistit the cornes of all Hamiltons, without any mearcie. Finalle, with force of gunshot, efter that the castell of Hamiltoun was randrit unto thayme, thay brynt the same, with the palice and the haill toun of Hamiltoun. Then thay returnit bak, and brynt and destroyit all the bounds pertenyng to my Lord Fleyming and the Lord Livingstoun. Then thay came to Lithgoshire, whare first they brynt my Lord Duc Hamiltons logeing in the toun of Lithgow. Nixt they brint the palice of Kynneill, the houssis of Pardoven, Bynnie, Kyncavill, and the peill of Levestoune. This done, thay returnit to Berwick, and the Scottish pledges war sent bak agayne. The Abbot of Dumfermling returnit from England, and with him Mr Randoll, ambassador for the Queene of Ingland. Then the Erle of Mortoun, with sum uther few Lords and this ambassador past to Stirling, whare they constitute Matthó Erle of Lennox Lieutenant for the King, till the Queyne of Ingland sould be forther pleasit.

In the moneth of Julij, Matthó Erle of Lennox was electit Regent to King James the 6 his realme and lieges, to enjoy that office unto the tyme that the king sould be fund able to governe the realme himself; and that be speciall command, consent

and assent of the Queyne of Ingland. This electioun was publeist to the people, and that in sa mony capitall burrowis whare officers mycht have access, as also be ministers and preachers in every parochin ; and about the end of that moneth, as he was bent to repair to Lithgow, and the Hamiltons gettand sure knowlege thair-of, addrest a number of horsemen and futemen in the Callendarwode of purpose to have trappit or killit him ; Bot he came not that way till he understude of the wearines of thair lang remainyng, and war reterit, and then he addrest him to his vayage. Whill he is in Lithgow, it is reportit unto him that the Erle of Huntlie is besegeing Arbrothe, and hes alreddie inclusit George Dowglas, callit George the Postulat, thairin : Wharefore he directit the Erle of Mortoun, with a competent number of chosin men, to releve him ; and as he is cum to Perth, he desyrit in the Regents nayme, the supplie of sum hagbutter, and that was grantit unto him. Then he addrest himself to Brichen, whare he understude that the Erle of Crawford and my Lord Ogilvy had forfeit, attending the cuming of Huntlie, and had placit certayne men of warre in the kirk. Bot thais Lords, understanding of his approche, removit thaymeselfis, and left the soldiours behind thayme. And howsone Mortoun was cum to the toun, they shot at him, and slew and hurt dyvers of his men. The Regent hering of this, addrest himself to Brechin ; and efter that he had remaynit a few dayis straitlie invayding the said kirk, it was at last randrit. Thair was within to the nomber a hundreth and fyftie men with twa captens, the ane callit Capten Cowttis, wha with his

baill suldarts war hangit ; the uther Weymis, wha for payment of sowmes of money for himself and his men, war saif.

In the meyne tyme, the greatest part of the people of the cuntrie grugeit havilie at the promotion of this Regent, calling him a straynger, and a sworne Englishman, and tharefore could na utherwayis esteme of him then of that Nation, whilk is always estemit the Capitall enemye to this cuntrie. At his returne from Brichen, he assailiet the castell of Down in the province of Menteith, whilk was randrit at the first summoning, with this proviso, that the hous sould not be demoleist.

In the meyne tyme, the Erle of Sussex, Lieutennent for the Queyne of England, to performe the rest of his Princesses revenge, and to mak waik all the partie that he mycht hurt favoring the Queyne of Scotland, he entrit the west border with foure thowsand men. He first brynt the toune of Annan and demoleist the castell thair of ; then he set fyre in the toun of Drumfreis ; he spulyeit the houssis and the bellis of the kirk ; he tuik many preasoners ; he caist doun the Lord Maxwellis hous in Drumfreis, the castell of Hoddome, and the hous of Cowhill. The castell of Carlavrok pertening to the Lord Maxwell was demoleist, and destroyit with gunpoulder ; Closburne, Tynnell, Bonshaw, and dyvers uther houssis ; and careit away great spulyie.

The King of Spayne on the uther pairt, was not unmyndfull of the unlaughfull detentioun of the Queyne of Scotland ; being daylie sollicite be hir orator, Mr Johne Hamiltoun Persoun of Dumbar, sent commandement to his Viceroy of the Law Cuntreis, the

Duc of Alva, to send sik supplie as he sould think expedient in Scotland to the Queynis Lieutennent ; and he immediatlie directit the said orator with twa gentilmen of credence be sea to the Erle of Huntlie the Queynis Lieutennent in the North, with sum gold for the wageing of soldiors, sax hundreth fyne hagbuttis, sax hundreth murrions, sax hundreth corslets, and thrie thowsand pickis, together with sevin pece of ordonance, and a great quantitie of gun poulder : and howsone they had delyverit thais materials, thay returnit bak be sea agayne.

The Lords of Scotland of the Queynis factioun, to congratulat this gude will, directit George Lord Seytoun to the Duc of Alva, with thanks to the King and to him. And he not contentit of this negociatioun onlie, thocht gude to extend the same further, and maid the Duc of Alva previe tharunto, that he wald pas among the Kings enemeis, and talk with the Scottish captens, bayth to knaw of thair interprysis, and to sollicite thame to chaynge from the rebellious service of the estaits to the King of Spayne. This was verie acceptable to the Duc, and tharefore he gave him a reasonable viaticum for performance of this fact. When he was cum among the captens, he usit sik extreme diligence among thayme, be bancating and brybis, that he subornit the best half under promeis of great recompance : And withall had sent dyvers adverteisments to the Duc, whilk he sent all in Spayne, whairby this Lord obtenit great favor. He lauborit all to this intent that he myght have obtenit an armie of ten thousand men to haue landit in Scotland, to invayde England. Bot when he had

exponit this purpose to the Duc, it was refusit, becaus the King could not obtene men anew to fortifie his awin caus in Flanders; yit he ansuerit forder, that geve he pleasit to accept of the Kings gude will in that mater, it sould be thoght reassonable; and that was, That the King wald willinglie, within the space of a moneth, provyde als mekle money to be transportit be his awin veshels in Scotland, as sould sustene ten thowsand men for the space of sax monethis, and na further. But before he could ressave further adverteisment from the Duc, certen of his practesis wer discoverit; and being examinat, he stood to a constant denyall; bot proovis wer brocht in aganis him, and avowit sum purposis in his face. My Lord replyit saying, they wer bot unhonest and infamous villains, and therfore could not be admittit witnessis aganis him who was a noble man; nather yit could sik rebellis aganis their laughfull Prence, as they wer, be competent Judgis unto him, who was ambassador from sik a noble Princes as the Queyne of Scotland; but wald reclayme from them to the ordinar Judge, whilk they could not repell, and that was my Lord Conservator, who was equall, in consideration of that his place, to anie of the peeris in the Law Cuntreis, whilk they could not deny. The Judgis of the toun wher my Lord Seytoun was captive went togither to consult upon this mater. Sum of them thoght gude to demit him, either to the Duc of Alva as he list, or to send him to the Conservator, to the effect he sould be transported with diligence in Scotland. Uthers thoght that this counsell was not gude: Bot first it sould be expedient to put him to the pruf of the torture without harme;

beleeving therby he wald freilie confes sum of his negociatioun, for feir of further to ensew, and that the sycht of this sould sumthing abait his stowt stomach : Bot altho he was layd upon the rack, and his bodie extendit thereon, his courage was no les for all that, and baid thame doe giff they durst.

The Scottis capitanes understanding of this appeirand severitie to be usit, and alreddie in practise as they thocht, subbornit incontinent thair souldiours to be at thair commands. Immediatlie they past with a vote to the counsall, and desyrit that my Lord should incontinent be set at libertie without onie skayth, utherwayes they wald all remove from thair service at that present hour : Quhairupoun it fell out that my Lord was demittit to pas quhair he list, and so escaipit that danger : Bot na forder proceedit in his negociatioun for the King, nather could the King be inducit againe to onie promise of money to be sent in Scotland, the service of his awin effairis grew so hot in Flanders.

The Regent, as he was returnit to Edinburgh, had directit a servand of his callit Johnne Mun, with letters to the Queyne of Ingland. This Johnne had prevat talking with dyvers gentilmen of the Queyne of Scotlands factioun, wha had sent tua letters with him to hir ; the ane from the south of Scotland, the uther from the north, written in cyphers, subscriyvit be thrie score and fourtene persons ; and he was executit in Edinburgh the 14 day of August 1570.

And becaus Secretarie Lethingtoun had chayngeit his opinions from the Kings factioun to the Queynis agayne, the Regent thocht

gude to depose him of that office, and disponit the same to Robert commendatar of Dunfermling.

Thir enormiteis in the cuntrie, as thay war aganis policie and reasoun, sa Sathan had also possest the myndis of tua men to commit the abhominable syn of Sodomie within Edinburgh, for the whilk they war puneist on this maner: first, they were detenit in preasoun for the space of 8 dayis, upoun bread and watter; then thay were placit at the mercat place, with the inscriptioun of thair fault writtin on thair foreheid; efter that thay war placit in the kirk, to repent befor the people thrie severall sondayis; fourthlie, thay were dowkit in a deap loch over the heid thrie severall tymes; and last of all bund to a staik and fyre kendlit about them wher their bodeis wer brint to ashis to the death.

The King of France on the uther part, remembrit his dewtie for the Queyne of Scotland, and sent in sum letters to the nobilitie of hir factioun, be sending bak agayne of Monsieur Verac to Dumbartan be sea; and withall sent sum provisioun of bullats and gun poulder to the said castell, in the whilk the ambassador maid his residence for a lang tyme. And in the moneth of September, the Regent, to congratulat all things done be the Erle of Sussex, he sent the Justice Clerc and Mr Archebald Dowglas unto him, to talk of the stabilitie of the King and Regents auctoritie.

As afore I maid mentioun of the bissines of Sathan, sa now was he not unquyet; for he had sa intoxicat the mynd of a famous preacher, callit Mr Johnne Kellominister at Spot besyd Dumbar, that hesparit not to murdreis his awin wyffe, a woman sa loving of him and of

his estait as any woman could have bene reportit to have favorit or obeyit hir husband in all respectis ; for he stranglit hir in hir awin chalmer, and tharefter closit the ordinar dur that was within the hous for his awin passage, and sa fynelie semit to cullor that purpose efter that he had done it, that immediatlie he past to the kirk, and in presence of the people maid sermon as thocht he had done na sik thing. And when he was returnit hayme, he brocht sum nyctbours in to his hous to vissie his wyffe, and callit at the ordinar dur, but na ansuer was maid ; then he past to another bak passage with the nyctbours, and that was fund oppin, and she hinging stranglit at the ruf of the hous. Then with admiratioun he cryit out as thocht he had knawin na thing of the purpose, and thay for pitie in lyke maner cryit out. Bot in end finding himself prickit with the jugements of God, of the greavous puneishment wharewith transgressors have bene plaigit in tyme bygayne, he thocht gude to communicat his fact to ane of his brether in office, wha then was scoolemaster at Dumbar, to whome he revelit the circumstance of a dreame whilk he had of a short tyme afore. The dreame was sa fullie interpret unto him, that thareby he ressavit sik satisfactioun in mynd, and resolutioun in spreit, that he differrit na langer tyme with counsall and convoy of this wyse godlie man, that he immediatlie came to Edinburgh, and thair delatit his turpitude to the Juge criminall, and to certayne uther preachers, and how willing he was to suffer puneishment tharefore. Breiffie, be his awin confessioun being clearlie convict, he was damnit to be hangit, and his bodie to be cassin in the fyre, and



brynt to ashes, and so to dee without any buriall. And thus he departit this lyfe with an extreyne penitent and contreit hart, bayth for this, and all uther his offences in generall, to the great gude example and comfort of all the behalders, upoun the 4 day of October 1570.

Efter this the Duc of Chattellarault, the Abbot of Kilwynning, my Lord Secretaire Lethingtoun, with his twa brether, the Prior of Coldinghayme, and Mr Thomas Maitland, war denouncit rebellis to the King, for noncomperance before the Regent. Bot the Erle of Crawford, wha before had sa lang remanit at the Queynis factioun, maid his obedience to the Regent in the Kings nayme, and the Erle of Mortoun was maid Sheriffe Principall of Edinburgh, and Constable of Hadingtoun, by the foirfaultor of the Duc of Orkney. And immediatlie it was appoyntit be advyce of the Queyne of England that na hostilitie sould be usit in Scotland be ather of the parteis aganis uther, directlie or indirectlie, to the xii day of November nixt to cum. Bot the Regent wroght directlie in the contrar, for first he directit his horsemen and futemen, to the number of thrie hundreth, to pas to Hamiltoun, and thair to mak pennie of the reddiest of the cornes, cattell, and uther gudis pertenying to my Lord Duc and uther gentilmen of his clan, to bring the same to him with diligence; and sic lyke to the landis pertenying to Secretarie Lethingtoun; and all war spulyeit for the utilitie of the said Regent. And the Queyne of Ingland sent hir letters to the Regent, desyring him, with certayne wyse men of Scotland, to repayre to London to talk with hir and hir counsall of all debait-

able maters concerning the Queyne of Scotland. And when he had convenit sik noblemen as he thocht expedient, thay electit the Abbot of Dounfermeling to pas thair as ambassador, to knaw of what poyntis sould be talkit on. And for the Queynis part war chosin and sent the Bishop of Galloway, the Lord Levingstoun and the Lord Boyd ; and on the uther part war sent the Erle of Mortoun and the Lord Glamis ; and a taxatioun maid upon the people to furneis thair expenssis, availing the sowme of twelf thowsand pundis money of this realme.

This forme of proceeding was still sa ambiguous and doubtsum, that nather could the King of France persave any trew dealing in Ingland for the Queyne, nather be hir favorers in Scotland that he could persave. Tharefore, to try all matters how they went in a part, he sent adverteisment to all his custumers of the sea costes of France, to arreist all and whatsumever ships of Scotland that war not fortifeit be the Queyne of Scotlandis nayme, armoris and coquet, and to confiscat thair gudis. On the uther part, the Queyne of Scotland being frustrat of hir lang expectatioun, consavit sa great greif of mynd, that deidlie seiknes followit thairon. Bot learnit men, weill experimentit in phisic, war sent for out of France, who came unto hir ; be whose travellis and Gods providence she convalescit at last ; bot na libertie en sewit for all that.

Amyds all thir turnes, the capten of the castell of Edinburgh was growin sa insolent, that first he directit certayne of his domestic servands to Leyth, of set purpose to kill ane Henrie Seytoun ; whilk crueltie when they had accompleist, they bent to returne to

the castell; bot be the way ane of thame, callit James Fleayming, was takin be the Magistrats of Edinburgh and put in preasoun thair. Bot that same nycht at the hour of suppar, the capten directit furth of the castell a reasonable number of soldiours, with some gentlemen, all weill inarmit, wha came to the said preasoun, and violently brak up the same, and broght furth the preasoner with thayme, without ather resistance or impediment; and in the tyme of their furthbeing, he causit delash thré gret peces of ordonance, to put the haille toun in terror. And within short dayis tharefter he waygeit a hundreth soldiours, under the conduct of Capten James Melvill, and logeit thayme near unto the castell; as also he cawsit mak fortificatioun within the hous, and great provisioun of wyne and other necessareis to be broght in; and siclyke he fortefeit the steiple of the great kirk of the toun with men of war.

In this meyne tyme the Hamiltons had wonne the abbay of Paislay fra my Lord Semple and his men; and the Regent hering of this, he addrest himself to Glasgow, and thair assemblit a number of gentlemen and soldiours for recoverie of that hous; whilk within few dayis was randerit unto him and the men in his mearcie. Bot because he differrit lang tyme in declaring thair of, the Hamiltons dreadit sum evill to follow tharon; and tharefore Lord Claud Hamiltoun ombeset the way with sum chosin men, and tuik sindrie preasoners that war cumand and going to and from the Regent, and pat thayme in custodie within the castell of Draffan, to the end that they myght have bene a releif for the uther captevis; notwithstanding wherof, thais of Paislay war broght to

Edinburgh, and thair upoun the common gallows without the toun war all hangit.

As thir temporall Lords war thus obstinat aganis the auctoritie 1571. of the Queyne, and thais hir Lieutenents foirsaidis in hir place ; so was also the spiritualitie, wha almaist haillelie had conjonit thair opinions with hir adversers, in sik sort that thay war not onlie contentit prevelie to have bene hir enemeis, bot wald also devulgat thair mynds to the people. For first, Johne Knox, cheif preacher at Edinburgh, in the end of his sermons, being remarkit to have prayit for dyvers forayne prencis, and for the young King of Scotland, had omittit to pray for his ordinar Princes Queyne Marie ; for the whilk he was rebukit be a wryting affixt upoun his dur. And he not willing to obscure ather his will or wit in that mater, answerit publiklie in the kirk the next convenient sermon day, that she nather was, is, or sould be his Soverayne, and tharefore he was not addebtit to pray for hir. Tharefter the haill preachers convenit, and thair it was concludit, that at na tyme cuming she sould be prayit for, as unworthie of sik a benefeit ; whairin thay sa constantlie perseverit, that nather persuasioun or reasoun could induce thayme to the contrarie.

The Regent was also sa vigilant, that he pretermittit na occasions of victorie ; that as the Regent Murray was curious to have obtenit the castell of Dumbartan be compositioun or slight, sa was he ; for he exposit twa craftie explorators with sum soldiers prevelie to sie how craftelie thay might intercept that hous, and efter

lang tyme spent, at last thay fand out a certayne man callit Robesoun, wha had sum tyme bene a watcheman within the hous, and knew perfytlie all the passages tharof, baith strenthie and waik. This man had also a son in law, na less experimentit within the hous then himself. To thais the Laird of Drumwhassill and Capten Crawford addressit thaymeselfis, and with promise of great rewaird, and sumthing in hand, corruptit thayme at last to shaw thame perfytlie the best places of advantage ; whare thay, with assistance of Capten Home and a hundreth of his soldiours, clam the rock of that castell with ledders and raippis, till they came to the top of the wall. The first man that entrit was ane callit Ramsay, wha at the first was a litill repulsit be thrie watchemen, wha had na uther thing to defend thaymeselfis withall bot staynis ; and he be drawing of his sword at the first, slew ane of thame, and immediatlie another of Ramsayis fellowis enterit the wall, and consequentlie the thrid, and so the rest, wha incontinent slew the other tua watchemen. The wall whilk thay clam was sumthing auld and ruinous, sa that be the frequent incuming of the soldiours it fell, and a fayre braid passage was maid to the rest. When thay war all convenit they soundit thair drum, and with loud voyces cryit, a Darnelie ! a Darnelie ! This great noyse of the drum perturbit the Lord Fleayming, capten of the castell, in sik sort from his mornyng sleap, that almaist half naikit he was compellit to ryn to a bote under the castell, and causit himself to be transportit far fra that daynger be the sea. Monsieur Verac, ambassador for the King of France, Johnne Archbishop of Sanctandrois, and Johnne

Fleayming of Boghall, war takin preasoners, and convoyit to the castell of Stirling. The Regent not being far af when the castell was wone, the newis war sent unto him with all possible haist ; sa that for glaydnes he approchit and dynit tharin with great joy, that same day, at ten houris in the morning. The Regent usit the Lady Fleayming verrie courteslie, and sufferit hir to depart with laiser, and the saif-conduct of all hir jowellis and cleathing : And this stratageme befell upoun the second day of Aprill 1571 ; and upoun the fyft day of that same moneth the Bishop of Sanct-androis was accusit of these foure poynts.

1. Imprimis, That he conspyrit aganis the Kings persoun, at the murther of the first Regent, intending to have surprysit the castell of Stirling, and to have bene maister thairof at his pleasure.

2. Item, That he knew or was participant of the murther of the lait King Henrie.

3. Item, That he knew or was participant of the murther of James Erle of Murray, lait Regent.

4. Item, That he lay in wayt at the wode of Callender for the slaughter of Matthó Erle of Lennox, now Regent.

As to the first, second, and last heads, he denyit thayme constantlie ; bot to the thrid heid he answerit thus : That he not onlie knew tharof, and wald not stop it, bot rather furtherit the doing tharof, whilk he repentit, and askit God mearcie for the same. And as concerning the tryall of the second heid, thair was a certayne pruf broght in aganis him, and that was a priest callit Mr Thomas Robesoun, wha in his presence affirmit that ane Johnne Hamiltoun, alias

blak Johne, sumtyme servand to the Bishop, before his departure callit upon the said preist, to whome, amang uther articles, he confessit that he was present at the Kings murther be command of his maister, whair of he askit Gods mearcie, and desyrit the preist to pray for him. Bot the Bishop replyit, that the preist synnit deadlie to ley upoun him, wha knew nathing of that mater ; as also, he synnit to revele any confessioun. Alwayis the Juge criminall gave suddan sentence aganis him, that he sould be hangit, whilk was quicklie put in pruf, and this verset following affixt upoun the gibbet, maid be a ridiculous invyous poet in derisioun of the deid.

*Cresce diu felix arbor, semperque vireto  
Frondibus, ut nobis talia poma feras.*

And that same nycht this uther verset, as ane antidot to the first, was affixt upon the kirk dur, and dyvers uther remarkable partis of the toun.

*In felix pereas arbor, si forte virebis  
Imprimis utinam carminis author eas.*

This his death remaynit not lang unrevengit, as ye sall heir. For first the Erle of Huntlie with diligence reparit to Edinburgh ; efter him came Secretarie Lethingtoun, Monsieur Verac ambassador from France, My Lord Claud Hamiltoun, My Lord Hercis, and many uthers.

I maid mention afore how earnest the Laird of Drumwhassill

was in the wyning of the castell of Dumbarton : Bot the reader will perfytlie understand heirefter, how bissie and earnest he was to have sauld it, (he being cheif capten and keaper therof him self,) and that to Elizabeth Queyne of England, for certen great soumes of gold or money, and was chasteseit for the same be King James the Saxt, and therefore endit his dayis upon a trie in Edinburgh, as salbe deducit in the awin place.

During thir maters, the Commissioners for Queyne Marie, and the Commissioners for the Regent, came all out of England, without any myds of peax and tranquillitie concludit amangis thayme. This movit the capten of the castell of Edinburgh to caus searche the common hous of the toun, whare he fand certayne pecis of ordinance, pickis, and uther fensible weapons, whilk he apprehendit, and cawsit the same to be transportit to the castell. The Commissioners for the Regent directit Capten Home and Capten Ramsay to Leyth, to convocat numbers of waigit men, and to convoy thayme to Dalkeyth. Thir tua captens had for thair convoy a hundreth and fourtie horsemen, and came out of Dalkeyth upoun a sonday, at ellevin houris before none, be the east port of the toun, of a deliberat mynd to provocke pley and debait, and be the way thay shot in at the port, baith in thair passage and returne, and hurt dyvers of the townis folk. The capten of the castell persaving this, he sent out twa hundreth soldiors to persew thayme. Thair past furth at that tyme the Erle of Huntlie, the Lord Home, my Lord of Kilwynning and my Lord of Coldinghame, on horsbak, ilk ane of thir accompaneit with twa horsemen onlie. Thay



fearcelie invaydit the foirsaidis captens at a part of the Burrow mure callit the Powburne ; bot being fewar in nomber, war dung back agayne with great regour to the port of the toun, callit the Kirk of Feyld. The futemen pressit to stop the retrait of the tua captens ; bot dyvers of thayme war hurt, althoght that thay debaittit valiantlie at a part of the borrow mure callit the Lowsie Law.

Heirefter the civile weares began at sik regour that ilk man drew to a factioun, sum for the King, and uthers for the Queyne ; and thais that favorit the Queynis factioun abaid in Edinburgh, and thais for the Regent drew to Leyth, with sik fortification on both sydis as could be devysit. Thair sould ye have sene almaist the sone aganis the father, and brother aganis brother ; sum for meare defence of laughfull powers ; uthers for gayne, to espye what the aduerser was doing, to whome he maid himself sumwhat familiar ; and the inhabiteurs of the gude toun war sa far devydit in myndis, that thay sparit not to cum aganis uther in open hostilitie, as it had bene aganis a forayne and auld enemye.

The Queyne, for hir part, was not oblivious of hir auctoritie : for first she sent my Lord Boyd in Scotland, with commissioun to establis a Lieutenant ane or twa in hir nayme ; and efter him she sent the Laird of Garnetullie to confirme that same. The Erle of Mortoun persaving sik messages from France on the a part, and from Ingland for the Queyne of Scotland on the uther part, whareby he entemit his estait (as the original ennemie to the Queyne) to be in daynger, he addressit himself to the Lord Boyd, whare thay met at Glencorce, for sum appoyntment to be concludit, tending

to an universall peax. And he, not willing to geve answer he himself in sa great a mater, without consent of uthers the Queynis favorers, he went to the castell of Edinburgh, and thair he communicat the Erle of Mortouns propositioun unto thayme. Thay gave him sum articlis whilk thay willit the Lords adversers to the Queyne to condescend unto, that war sa strict, that nather the a partie wald fawld to the uther ; nather wald thay condescend to any myds, as the Romainys did in sik dayngerous tymes, bot caist all sa lowse, as geve peax had never bene in pryce.

In the meyne tyme the Duc of Chattellarault reparit to Edinburgh, accompaneit with thrie hundreth horsemen, and a hundreth hagbutters. Efter him came the Erle of Argyll, the Lord of Arbroathe, and the Lord Boyd : and at that same tyme arryvit furth of France Sir James Kirkcaldy with ten thowsand crownes of gold, sum murrions, corslets, hagbuts and wyne, whilk was saiflie convoyit from Leyth to the castell be the horsemen and soldiours of the toun. With this gold war conducit horsemen and futemen, in greater nomber then before. The portis, passages, and walls of the toun war reparit and fortefeit ; captens with their garesons ap-  
poyntit to statioun places ; the clerkis and wrytters to the Lords of Sessioun war compellit to render the buikis of parliament unto thayme ; and all men that favorit not the Queyne, commandit to retein furth of the toun. Magistrats of the toun, sik as Provost and Bailleis, as favorit the caus war chosin. Johne Knox preacher fled from the toun, and reterit to Sanctandrois. In his place preachit Alexander Bishop of Galloway, uncle to George Erle of Huntlie,

and uthers inferiors administrat the sacraments of baptisme and marriage. Bot as for the supper of the Lord, it was then out of seasoun, be reasoun that tranquillitie was baneist the land, and violent dealing was maister of all.

On the uther pairt, the Regent came to Leyth, accompaneit with James Erle of Mortoun. Tharefter thay concludit to hald a parliament in the Cannogait, within the fredome of Edinburgh, at a place callit St Johnis Croce ; and fearing least the soldiours of the toun sould cum furth to perturbe thayme, thay fortefeit tua places, the ane at the Dowe Crayg, the uther at a hous pertenyng to ane Lawsoun in Leythwynd, and thair shot in violentlie at the east port, and slew sindrie soldiours and inhabiters of the toun ; whilk lestit all the tyme of that parliament, whilk was callit the cropping Parliament : Whareat war forfaitit Secretarie Lethingtoun, Johne Commendatar of Coldinghayme his brother, and another brother callit Mr Thomas Maitland, Gawin commendatar of Kilwynning, and William Hamiltoun sone to the Bishop of Sanct-androis ; and then departit to Leythe. Efter this, thais of the toun sortit, and brynt dyvers houssis nar the toun walls, whare thair enemeis resortit. And as the Regent and Erle of Mortoun had past out of Leyth towart Stirling, the trowps of horsemen drew towart Corstorphin, to have fochin with thayme ; bot before thay could attene to that place, the Regent was departit ; and tharefore thay assailyeit Mortoun, wha still gave bak all that way till he came to Dalkeyth, and this was upoun the 20 day of Maij.

Then Mortoun for greif of this onset, cawsit his men ly in the

way to stop all victuals to be broght in to the toun, and reft sindrie carears, baith of horse and laiddis, without any restitution : And for revenge of this, the horsemen and futemen of Edinburgh sortit and marchit in order to Sheriffhall mure, intending to have assailyeit Mortoun in Dalkeyth, and to have brynt the toun. Bot Mortoun sortit with men and horsis, and assailyeit thayme sa fearcelie, that he gave thayme the repulse to the verie marches of the Burrow-mure ; and Mortouns soldiours followit sa fast, that thay war hard upoun the baks of the horsemen of Edinburgh ; and thay persaving advantage, turnit, hurt and slew many of thayme, and at last dang thayme bak upoun thair awin horsemen. At this conflict war tayne the young Laird of Carmichell, Andro Halyburton, and Robert Hepburne, with fiftie soldiours ; and foure men slayne. Of the uther, part Capten James Hakkerstoun was preasoner ; and uther thrie horsemen and a soldior slayne. This conflict had been greater and of mair losse to Mortoun, geve ather the weather had been fair, or the gun poulder have servit the soldats of Edinburgh, as was designit ; for ane of the captens of Edinburgh callit James Melvill, as he was distributing the same to his men, ane of thayme be chance had a lowse lunt, whilk negligentlie fell out of his hand amang the great quantitie of poulder, and brynt him and dyvers uthers, to the great terror of the rest ; and that was the caus of thair suddan sindering.

The Queyne of England, wha all this tyme preceeding semit to shaw hirsell indifferent, and to be a composer of maters, under cullor of detentioun of Queyne Marie, and that she wald seme to

favor hir caus better then the caus of hir rebellis ; she was sa instructit be the Lords Commissioners for the Regent, without any great impediment, that willinglie she thocht not fit to send hir bak in the cuntrie agayne, for many respectis ; and tharefore oppinlie declarit himself to be a profest enemie to hir actionis and favorers. And to conferme this, she sent in Sir William Drowrie, Marshall of Berwick, to the Regent, and to the capten of the castell of Edinburgh, to know of him whither he held the castell on the Queynis nayme, or on the King and Regents nayme. Geve on the Queynis name, he wald assure him, that the Queyne of Ingland wald be his extreme ennemie, and that perforce ; bot geve utherwayis, she wald be his freynd. He answerit flatlie, that he acknowlegeit the Queynis auctoritie to be onlie laughfull in Scotland. Then the Marshall declarit this answer to the Regent, and he sent him bak agayne to the castell, desyring the hous to be randrit to him in the Kings nayme, and he with all his consorts sould be appardonit for bypast offences, restorit to thair rents and possessions agayne, and sould have libertie to sort with bag and baggage. This offer the capten refusit : In consideration wharof the Marshall consultit with Mortoun, whilk turnit greatlie to the prejudice of the capten and the Queynis caus, as salbe manifestit shortlie.

Heirefter all the inhabitants of Edinburgh that profest inimitie to the Queyne, left thair awin houssis and the toun, and past to Leyth, and erectit an ansenyie of thair awin, to invayde the toun wharin thay had frielie dwelt, and was thair naturall birth place ;

nather intending to spayre thair ordinar nychtbours or kyndlie kynnisfolks : As also the preachers of that toun sa haittit thair awin parochynnars, wha never declynit fra that estableist religioun, na less then thay had bene professit papeists, as in the awin place salbe shawin.

The Lords of the Queynis factioun assemblit in Edinburgh, for a Parliament to be haldin, in the moneth of Junii, to mak the Queynis auctoritie as manifest as her rebels maid it obscure and infamous. Thare was red a supplicatioun directit from the Queyne, makand mentioun. That it was not unknowin to thayme how she was maid captive be a certayne of hir rebellious subjects, and im- preasonit be thayme in the castell of Lochlevin, wharin she was then constraynit, for feare of hir lyfe, to subscriye a commissioun for demitting of hir crown and auctoritie royall in favour of her sone and infant, the Prince of Scotland : And being adverteist be Sir Nicolas Throgmortoun, that geve she did not the same, she wald lose hir lyfe, and tharefore she, to eshew that rayge, accomplieist thair desyre. In consideration of thais things she desyrit the Nobilitie thair present to considder, geve the subscriying of the said commission and the erecting of Matthó Erle of Lennox in hir place, was laughfull and ordourlie done, or not, according to the law of God, man, or nature ; and geve the said Matthó Erle of Lennox was apt and able to governe the commonwealth of Scotland, wha had sworne his obedience to another forayne Prince, and had not as then dischargeit himself frelie tharof.

Eftir the reiding of the said supplicatioun, the heiddis tharof

being reasonit and voittit, it was fundin be the estaits foirsaidis, that the Queyne was compellit, for feare of hir lyfe, to subscriue the said commissioun ; and tharefore decernit the same, with all that followit or may follow tharupoun, of na avail, force nor effect from the begynning, and to ceis heirefter ; and ordanit an act of Parliament to be maid tharupoun, whilk was publiklie proclamit at the mercat croce of Edinburgh the 13 day of Junij : And also thay reestableist hir auctoritie, that all letters, coyne, lawis and constitutions, and all matters of stait, salbe publeist in hir name ; the religioun now estableist to have course, and to be reverencit be all men ; the ministers to pray for the weillfayre of the Queyne and the Prince hir sone, and for the haill nobilitie. Bot before this law was maid, the Ministers of Edinburgh not onlie desistit to pray for the Queyne, bot also had desistit ather to preche or pray at all thair, and abandonit the best part of thair flock.

The Regents faction was makand all the preparatiouns thay could to fortifie thair caus, and waigeing of men ; for Mortoun had conduit ane Capten Michael Weymes to bring him a hundredth soldiours from Dundee ; and as he was cum in Fyff, the Lords of Edinburgh had sik perfyt intelligence tharof, that thay directit Sir James Kirkcaldy and Capten Cullayne to persew thame on the sea, and for thair fortificatioun gave them eight score suldats, a ship, and foure boittis. The Capten having shippit his hundredth men to have landit at Leyth, he was ombeset be thir forenaymit ; great persewing and defence on ather pairt : Ane of the Captens boittis was maid captive, the uthar escapit. The preasoners

war broght to the Castell of Edinburgh saiflie. Bot or thay could cum a land, Mortoun awaittit lang to have bene avengeit on thayme; bot he was weareit with lang attendance, and so went his wayis. The horsmen of the toun persaving Mortoun so long to attend, thay assailyeit him forceblie, hurt sum of his cumpany, and chasit himself; tharefter he returnit to Leyth for a certayne dayis.

Mortoun was sa commovit at this, that he awaitit still how to be avengeit; and finding opportunitie, he mearchit furth of Leith, accompaneit with all the Regents soldiors, with a great number of his awin freynds and kynismen, and the Laird of Drumlanrig: He came to a place at Lestalrig callit the Halkhill, and thair he pat his haill folks in array in sight of the castell, to provocke the men of Edinburgh to cum furth. Then the allarum was incontinent soundit throw all the toun; horsemen and futemen came all to the ports in array; thay ascendit a hill at the toun end, and came to a place callit the Quarrell Hoillis, in sight of thair enemeis, with twa feilding peices of gunnis. There was in the cumpany of Edinburgh, the Erle of Huntlie, the Lord Home, the Lord Hereis, the Lord of Paislay, the Lord of Kilwynning, and the Lord of Coldinghayme. Sir Williame Drurie was in the feyld with Mortoun that day, and desyrit that he myght have libertie to pas and speik with the Lords of Edinburgh; and when he was cum unto thayme, he desyrit thayme to reteir hayme, and to talk of peax. Bot the pryd of thair myndis was sa great, that thay answerit, that they wald not depart from the grund till Mortoun sould first geve place, wha first came to the feyld to provocke the bargane. So when he was



returnit to Mortoun, to shaw the answer, and withall had espyit the order of the Lords, and adverteist him of all, he immediatlie brak at thayme with a great noyse and shoutting, that before he came at thayme, thay turnit bakis directlie upoun thair awin futemen, and overran thayme all, for any resistance thay could ather mak aganis them or thair enemeis. He persewit thayme even to the east port of the Cannogait, and be the way dyvers war strickin to the grund and slayne : Amang uther persons of renowne, my Lord of Kilwynning was ane, and to the number of 24 soldiours. Thair war takin preasoners the Lord Home, Capten Cullayne, Alexander Bog ansenzie bearer to Capten David Melvill, with his ansenzie and thrie score and ten soldiours, with sum horsemen and the twa feilding peces. On Mortouns syde was slayne his new cum Capten, Michael Weymes, and a soldior onlie. This conflict fell upoun the 26 day of Junij, on a Setterday, and for the evill succes tharof was callit be the people of Edinburgh the Blak Setterday. The Lord Home was empreasonit in the castell of Temptalloun. And as Drumlanrig was boune hayme, he was ombeset be a gentilman callit David Spens of Wormestoun, and broght perforce bak to Edinburgh, with 22 horsis, and was keapit captive within the castell. Thair was with him at this tyme, his sone and Apilgirth, and these tua war chaissit to Leyth ; bot upoun the 25 of Julij, thair was interchaynge of thir tua preasoners maid with consent of all parties at the gallolie betuix Edinburgh and Leyth ; for thair the Lord Home was restorit to the Lords of Edinburgh, and Drumlanrig was restorit to Mor-

toun at Leyth. Tharefter Sir William Drowrie addrest him to the toun and castell of Edinburgh, to intreat the Lords for peax : Bot that proposition was na wayis then acceptable unto thayme, albeit thay remainit not lang of that opinion. The Regent and his Lords consultit and decernit, that the people of the cuntrie sould cum quarterlie, and attend upoun him in Leyth, to serve in the weares at all occasiouns offerit, notwithstanding of his wageit soldiors ; and withall thay repairit the auld Frensh fortifications of that toun.

And as Ingland was bissie to encourage the à partie, sa was France for the uther ; for in the moneth of Julij nixt, Monsieur Verac, ambassador for the King of France was sent in Scotland agayne with letters to the Lords of Edinburgh, and a letter to the Regent, desyring him to restore the guds apperteyning to the King his maister that was takin in the castell of Dumbarten. Thair was with him Johne Chisholme, wha was sent in France for supplie, whilk he obtenit. The Regent understanding of thair arryvall in the rever of Forth, he directit some boittis to man and assail the ship, to confiscat the guddis, and to bring the passingers preasoners to Leyth. Johne Chisholme before hand was landit with a great sowme of gold, and had delyverit the same to the Abbot of St Columbs Inche in keaping. The Lord Lyndesay was directit to searche him on the land syde, and he was quicklie apprehendit. The ambassador was seasit upoun, and careit perforce to Leyth, without ather respect or reverence, all his writtis tayne from him, and himself empreasonit. Thair was fundin amang his writtis a minute of

the gold delyverit to Johne Chisholme ; and the said Johne being examinat, and this minute shawin to confront him, he was boistit with torture unles he sould tell whare it was ; sa that for feir he declarit, and thus was the gold quicklie gottin and deliverit to the Regent. In the ship was fundin twa hundreth hagbuttis, twa hundreth corslettis, twa hundreth murrions, fyve hundreth great bul-lats, and sum salt petir to mak gun poulder of. The ambassador was translatit to Sanctandrois to remayne as a frie captive thair ; and immediatlie the Regent cawsit the graith gottin in the ship to be transportit be sea to the castell of Stirling ; bot be the way the boit was assailyeit be Spens of Wormestoun, the persons being tharin war takin, the graith seasit upoun and broght to land, sa mekle as gudlie myght be gottin transportit, and the rest was cassin in the sea grund.

The pryde of Mortoun was sa great, that he thocht the Regents mynd was sumthing alienat from him, and he suspectit the Laird of Drumwhassill to be the caus of this. This gentilman indeid was of a subtile spreit, and a cuntreman to the Regent, borne within the province of Lennox ; and tharefore to promove himself, he was deliberat to remove that impediment be violence, and to kill him. The Regent hering of this, cawsit the gentilman to be closelie keapit for a certayne dayis ; and Mortoun estemit that he was reservit in contempt of him ; he decreittit tharefore to pas hayme, and to leve the Regents cumpany altogither. But the Regent finding him a man sa necessar for the caus, thocht expedient to talk with him in the purpose, and refer all that mater to

his awin censure; and he desyrit Drumwhassill to be dischargeit the court, that he sould not be fund nar the Regent be the space of ten mylis, under a great pecuniall sowme. What proffet ather of thir thrie obtenit of violence, the maner of thair ending sall declare heirefter, and that was violent. At this same tyme, Capten Cullayne was hangit in Leyth; and his death was haistit be Mortoun, to the end he might the mair frelie enjoy the favor of his fayre wyff; and a band of men of warre was placit in Halyrudhous, for stopping of the passage to the toun of Edinburgh, under the conduct of Capten Andro Mitchell.

In the moneth of August, thair was a Parliament fencit in Edinburgh, to have course for sik a space as sould be thoght expedient. And at that same verie season, another Parliament was also fencit be the Regent in Stirling, on that same maner. In this moneth great commoning was had of peax, bot nathing concludit: And the Regent finding equall forme of proceiding be bayth the parteis in maters of common law, and the Queynis factioun still increasing in Scotland, and all of à mynd, and subsidie daylie arryving unto thayme, thought expedient to corrupt the Erle of Argyle and my Lord Boyd with great promiseis, to alienat thair myndis from the Queyne: Sa as lucre is and has bene the temptar of many men, sa was she also the maistres of thir noble-mens affections, and withdrew them from thair wontit dewtie. And withall the Lords of the Regents part sa assistit Argyle, that he was pairtit from his laughfull wyff, and adjoynit himself in mariage with a doghter of this Robert Lord Boyd; and ilk ane of

thayme obtenit a fat kirk benefice in recompance of thair declyn-  
ing.

And as concerning the effairis of Edinburgh and Leyth, the people musterit almaist ilk day, in contempt of uthers, with many invasions on ather syde. Capten Hew Lawder was chosin to be Serjand Major of the futebands in Edinburgh. The rest of the captens war these; Arthur Hamiltoun, James Bruce, David Melvill, and Gilbert Montgomerie. Thay had under thair charge the number of fyve hundreth men; and besides thir, thare was a hundredth horsemen in wayges. The names of the captens of Leyth war, Thomas Crawford, David Home, Andro Lambie, Andro Mitchell, Johne Chisholme, Walter Aikman, and Adam Fowlartoun. Thais had under thair chayrge sevin hundreth futemen, and withall a hundreth light horsemen. In end thrie of thir captens war directit to the Cannogait with thair bands, to wit, Crawford, Home, and Lambie; whair thay plantit thair soldiars on ather syde of the streit, nar the eist port of the toun of Edinburgh callit the Netherbow, to attend thair quyetlie upoun adverteisement of the drum. Thir Captens devysit to caus bring in sum layddis of meill and lyme to the mercat, and the conductors of the horsis sould be sum craftie soldiars, that howsone thay war entrit the port, thay sould immediatlie cast the layddis af the horsis in the verie entrie, to close the passage, that the port sould not be gottin closit. Bot as all thing was reddie, thair hapnit a certayne man, callit Thomas Barrie, messinger, to be walking in the streit that morning, and he persaving ilk entrie of the laynis in Cannogait to

be stuffit with men of weare, he came up saftlie towart the port of the toun, dissembling all the way that he saw or persavit thayme, and adverteist the kepar of that port quyetlie; and he immediatlie without forder advysement closit the same, whareby the thre captens and thair soldiars war frustrat of that interpryse; and fearing least the lyk devyce had been inventit for the West port, he addrest him thair for the lyke fyne. And when this purpose was devulgat to the Lords, he was thankfullie rewardit as reason wald: Sa that for remeid aganis the lyk devyces to follow, thay devysit a counter port within the east port, verie strang, and the entres was maid be a circuit, and at the forefront tharof, that directlie luikit to the auld port, war twa gun-hollis, whareat war plantit twa great peices of ordonance. Tharefter David Spence of Wormestoun was directit to Sanctandrois, wher he spak with Monsieur Verac ambassador, whome he convoyit with diligence and saiftie to the castell of Edinburgh.

Then Parliaments war haldin on baith sydis; the Regents Parliament was haldin at Sterling, and the Queynis Parliament was haldin in Edinburgh. At the Parliament haldin in Sterling war forfeitit Duc Hamiltoun and all his sonnes, together with all gentilmen of reputatioun of that clan, wha favorit the Queyne and hir caus, the Erle of Huntlie and all his freyndis, with many uthers whais naymes war mair tedious nor proffitable to reherse. And for recompance of this, the Lords of Edinburgh proceidit *pari passu*; and in thair Parliament at that same seasoun they forfeitit Matthó Erle of Lennox, the Erle of Mortoun, and a number of uthers whais

namynges ar at lenth set down in uthir places severallie before. In Sterling, the King being convoyit to the Parliament hous, and set at the burde, be fortune he espyit a hole in the burdecloth ; so that as yung childer are alwayis unconstant and restles, he preissit to attene to the hole with his finger, and askit of a Lord wha sat nar by him to know what hous that was ; and he answerit that it was the Parliament hous. Then, said the King, this parliament hes a hole into it. Whither God inspyrit the babe then with prophecie at that tyme or not, I will not dispute : Bot in verie 'deid, the cheif leader of that Parliament was stoppit with sik a hole within fyve dayis efter this saying, that was the verie caus of his death. For, first, the Lords of Edinburgh sa fearcelie invadit the soldiors of Leyth, and faught with thayme for the space of a haill day almaist till the night came on, and then they enterit the toun of Leyth with sik furie and curage, that sindrie inhabiters gentilmen and uthers, being wonderfullie terrifeit, thay withdrew thaymselvis to the shore, crying and shouting for boittis to ressave thayme into for saiftie of thair lyvis, with exclamatioun of promeissis of great buddis and offers to thais wha wald mak thayme any supplie, sum offering a hundreth punds, sum fyftie punds, sum fourtie, sum twentie punds for a botte. In the meyne tyme, the haill futemen of Leyth war on the feildis, and war almaist approchit to Edinburgh, crying, under nyght, God and the King. The watches of the toun heiring that, ishit out on thayme with great force, and dang thayme bak ; and the horsemen of Edinburgh, eftir this thick ryding throw Leyth, whare thay slew and hurt sindrie, war retering

bak to the toun, and be the way espyit the soldiors of Leyth in thair way dispersit and out of ordor, thay ran upoun thayme, over-rayd thayme, slew, hurt, and tuik a number of thayme preasoners. The coronell of the futemen, callit Mr James Halyburtoun, was takin and careit presonar to the castell of Edinburgh, and sould have bene hangit on the morne, geve the haill captens of the toun had not interceidit for him. Thair war takin with him to the number of fyftie à persons. Thair was slayne at this lang and double conflict twentie five persons onlie of thais of Leyth. Of the partie of Edinburgh war takin, Francis Tennent, sumtyme Provost of Edinburgh, and uthers burgessis and soldiors to the number of nyneteyne : thair was slayne the number of ten persons or thareby. At this tyme thair was great penurie in Edinburgh, and therefore the Laird of Howmayns past owt to the landis of the Byris pertening to the Lord Lyndesay, and broght in thrie score ky and oxin to the toun.

The Lords of Edinburgh finding this succes sa prosperous, and having a gude opinioun of thair manhode, thocht gude to prosecute the rest of thair fortune ; and becaus at thair Parliament the Regent and his factioun war forfaitit, thay war deliberat to assaill the toun of Stirling, to kill or lead away captive the Regent and sa mony uther noblemen as war thair, profest enemeis to the capitall toun of Edinburgh, and thair to put end to thayme according to the lawis, as the Regent had done with Bishop Johnne Hamiltoun of befoir ; and also to tak up the escheit guds of the saidis Lords, as presentlie ye sall heir.



Upon the thrid day of September, George Erle of Huntlie, Lord Claud Hamiltoun, the Laird of Balclenche, and the Laird of Wormestoun, with thré hundreth chosin horsemen, and fourscore chosin soldiars, past out of Edinburgh at 6 houris at evin, of purpose as it war to have past to Jedburgh, to compose maters thair for behuif of the Laird of Fernehirst. The leaders of the futemen war George Bell, and George Calder. This Bell was a borne man in Stirling, and knew all the secret passages thair of. The Lords with this convoy at first passit a lytill southwart, sa lang as they war in sight of the townis folks, and whan they war out of syght at the bak of a hill, they addrest thair jurnay westwart. They wrought on this wayis for secrecie, that thair interpryse sould naither be devulgat in the toune nor outwith. So they mearchit directlie to Stirling, all the soldiars weill mounted behind the horsemen, and arryvit thair at thré hours in the morning, upoun the 4 day of September : and Bell, for the first point of his office, designt to the Lords all the loggings in particular, and the stables. At the loggings chosin men war plantit to ding up durris, and bring out preasomers : In the streits war plantit the futemen, wha shot indifferentlie at all thayme whom they persavit to behauld thayme, and that came in thair way, and all thais shots war sa deidlie, that few or nayne escapit alyve that was sa hurt. Uthers war commandit to the stables, and thair they spullyeit the fynest horsis that was thair (as a pairt of the escheit gadis of the forfaltit Lordis.) and drew thayme all out at the east port. Thridlie, as ilk company had broken up durris depute unto thayme,

and extractit sik preasoners as thay thocht convenient, and thais of the best, and war all drawin furth in the streits reddie to be led away; thair war twa impedimentis that hinderit this purpose. The first was the strang hous that Mortoun was into, and his obstenacie to yeald; whareby thay war compellit to put fyre in the hous, and this requyrit certane space of laser and tint tyme. The uther impediment was greater; and that was be the societie of sum border men, whais myndis at na tyme are ather martiall or bellicous, bot onlie gevin to reif and spuilye; and thay, not myndfull of honourable turnis, addressit thaymeselfis rather to marchands housis, whilk thay brak up and spulyeit; so as when the noblemen in Stirling, Regent, Mortoun, and all the rest war in hands, and almaist convoyit be thair leaders to the port, to have set thayme on horsbak; immediatlíe the trumpet of retrait soundit, bot the Borderers could not be extractit from thair ordinar exercise; whareby it followit, that the gentilmen of the castell came furth in thair armure with gunnis, and shot at thais robberis, and pat thayme to flight. The inhabitants of Stirling assemblit fast, and persewit the haill troupe sa furiouslie, that they war compellit to quyt thair preasoners: and David Spens of Wormestoun having the Regent captive be the arme, promesing still to save him, at last Capten Calder approchit, and persaving the victorie to declyne fra thayme, he shot the Regent, and so dispashit him with a deidlie hurt; whairat Wormestoun was greavit, bot all too short. The Regents favorers followit fast, and persaving him to bleid, and he crying still that he was slayne, thay

killit Wormestoun out of hand; wharat the Regent was als greavit. Thair was in Stirling at this Parliament, convenit with the Regent and Mortoun, the Erle of Argyll, the Erle of Cassils, the Erle of Glencairne, the Erle of Eglintoun, the Erle of Montrose, and the Erle of Buchan, the Lordis Ruthven, Glamis, Sempill, Ochiltre, Cathcart, and Methven, with uther barrons of renowne and thair freyndis, almaist to the number of fyve thowsand men or thairby. In end thay war constraynit ather to quyt thair preasoners or els to dee thair presentlie; for the whilk caus thay commandit thair futemen to tak horse with expeditioun, and thay horsit thaymælfis tharefter, and past away at laiser without any great skayth. Thair was slayne of thair pairtie sax persons onlie, and twentic-sax persons takin preasoners, whom of Balcleuche, Bell, and Calder, war for the maist remarkit. On the uther syde was slayne the Regent, wha deit that same day within twelf houris efter his hurt, Alexander Stewart of Garlies, younger, George Ruthven, brother to my Lord Ruthven, and twenty four uther gentilmen; and to the number of threttie foure persons, wha war deidlie shot, and never convalescit agayne. And this was the succes of sik a hardie interpryse; whilk apperantlie wald have bene better geve the haill cumpany had bene of a magnanime martiall mynd, as sould have appertenit in this cace; and is maist worthie of memorie, that sa few in number daylie bostit, invadit, and hurt in honor guidis and fayme, as ye may reid, bayth be thair awin civill enemeis at hayme, and be foreners introducit in the cuntrie for thair exterminion, as is alreddie declarit, and salbe forder declarit heirefter, to have cum sa far af from thair

ordinar camping place, and that on à night, but refection ; and so in the myds of thair wearenes to haue invaydit sik a strenthie toun, furneist with nobles and gentilmen ; and to have led thayme captives first ; and nixt to have sa valiantlie debaittit thayme-selfis aganis the furious assault, slayne thair capitall enemye, the cheif Governor of the Realme, and to have returnit sa far af in honor and victorie, without any persewing that followit thair-upoun. So that for many injureis whilk thay had befor ressavit at this Regents hands, thay estemit thayme all sufficientlie revengit be the slaughter of this à worthie persoun. And to conclude, this was that rackles worde of youthe prononcit be the young infant the King fulfillit, to the great detriment of that caus for that tyme ; and tharefor that jurnay was worthelie callit be the vulgar people, The Blak Parliament.

Bot before the Regent departit this lyfe, for the small laiser he had to speak, in respect of the exceiding payne he sustenit of his hurt, it is necessar to mak mentioun of the substance tharof, that he usit to the nobilitie, whom he cawsit immediatlie to be convenit in the castell for this effect, to the end the posteritie may ressave sum instructioun thareby.

It is not unknowin to your honors that my arryvell in Scotland was not of my awin accord or wishing, bot rather of yours, whome I supponit to favor the revenge of my sone the lait King his death and murther, the weilfare of your naturall Prince my nevoy, and the tranquillitie of the estait of this commonweill to be purgit from wicked malefactors and perturburs of the quyetnes tharof. Ye

knew that in mentenance of this honest caus of the Kings, I have this day spent my blude, and am now at a poynt to finish this my last warldlie tragedie. Wharefore I desyre you all hartelie to pray for me, and that ye will continew in that your wontit benevolence to his Majestie, and in my place to chuse a man fearing God, wyse and circumspect, alsweill for the weifayre of the King as for your awin standing, and that ye will be myndfull to recompance my trustie servands, wha as yit have ressavit na benefite at my hand. Forder I have not to say, bot prayis the Lord to be mearcifall to my saull, that I may ressave pardoun for all my synnis : and so I commit you all in God's eternall protection. Amen.

When he had thus endit, the Lords thair present thought maist expedient to chuse another Regent to succed in his place befor he was bureit ; and tharefore electit Johne Erle of Mar upoun the fyft day of September. He first cawsit Bell and Calder to be publiklie puneist, brokin upoun the rowe, and thus pynit to the death. And tharefter he came to Leyth, and thair he cawsit mak preparatioun for beseageing of the toun of Edinburgh. He cawsit nyne pece of ordonance great and small be brought to the Cannogait, to have assailyeit the east port of the toun ; bot that place was not thought commodious, wharefore the gunnis war transportit to a fauxburg of the toun callit Pleasands ; and thairfra thay laid to thair batterie aganis the toun walls, whilk began the tent of September, and shot at a platfurme, whilk was erectit upoun a hous heid pertening to Adame Fullartoun. And persaving that laubor to do bot small profit, he cawsit

shute at the toun wall upon the 17 day, whilk was all bestowit that way, to the number of fourtene score shot, and slappit the wall at tua partis. Bot the grund within was sa weill fortifeit with ramperis and deap fowsais, that thay durst not mak assault, althocht thay lay at wait for that purpose thrie dayes ; and being thus frustrat, the haill camp with thair gunnis reterit to Leyth. Always, this attemptat sa terrifeit a great number of the inhabitants of Edinburgh, that sum of thayme reterit to à part, and sum to another. And the Provest persaving this, becaus thair was Proclamatioun maid before, that all thais wha favorit the Regent sould remove furth of the toun, and wha wald assist the Queyne sould remayne, under the payne of confiscatioun of thair gudis ; wharefore be this reasoun, he thocht that he might laughfullie mak pray of thair gudis, as he did indeid. And on the uther part the Regent finding sum difficultie of the wyning of the toun be his small forces, with advyce of Mortoun he sent to Ingland, desyring support of gunnis and men to fortifie the caus, and to repres the Kings rebellis. And the toun walls of Edinburgh war reparit againe with diligence.

The Queynis Lieutennent Depute in the North, callit Sir Adam Gordoun of Auchindoun, knyght, was verie vigilant in his functioun ; for suppressing of whome, the Maister of Forbes was directit with the Regents commissioun. Bot the first encontre, whilk was upon the 9 day of October, Auchindoun obtenit sik victorie, that he slew of the Forbessis a hundreth and twentie persons, and lost verie few of his awin. His brother, George Erle of Huntlie,

sent him sum supplie of men, efter this conflict, from Edinburgh, under the conduct of Sir James Kirkcaldie ; wha alsone as he had exonerat himself of the soldiors to the Lieutennent, he saillit immediatlie fra Aberdene to Flanders, and past in France to adverteis the King and the Duc of Guyse of the plattis of Ingland and Scotland, devysit to suppres the Queynis trew subjects, and tharefore to desyre sum new supplie : and what succes this jurnay had, remanis as yit to be declarit.

In consideration of this, the Regent directit Capten Chisolme with ane hundreth hagbutters to supplie the Forbessis ; and the Forbessis thocht thaymeselfis heirby sa weill fortefeit, that being assistit with another hundreth hagbutters afore, under the conduct of Capten Wedderburne, and sax hundreth horsemen, thay thocht it na difficultie to assaile the Lieutennent agayne. And he being in Aberdene, understude perfytlie that thay war alreddie passit the bryg, as thocht thay sould have interceptit him within the toun at unawarris : bot he, lyke a valiant chiftayne, having alwayis his men in reddenes, and perpetuall watches without to certefie the approche of the ennemie, assemblit his horsemen with frequent sound of trumpet, and his futemen with the sound of the drum at ane instant, and came furth in sik ordor and curage to a part callit the Crabstane ; whare it was fochin furiously on bayth sydis for the space of an hour, till at last the victorie inclynit to the Lientennent, and the Forbessis put to sik a flight, that the persute indurit four mylis of lenth. The Maister of Forbes was takin preasoner, with twa hundreth of his horsemen ; and he lost be slaughter fyftene brave

able men of his clan, with Capten Chisholme, and his haill soldiors ; and thair perishit in generall at this conflict to the number of thrie hundreth persons. The Lieutennant lost of his folkis the number of threttie, and so this battell endit. Bot what glore and renowne he obtenit of thir twa victoreis, was all cassin down be the infamie of his nixt attempt : for immediatelie efter this last conflict, he directit his soldiors to the castell of Towy, desyring the hous to be randrit to him in the Queynis nayme ; whilk was obstinatlie refusit be the Lady, and she burst furth with certayne injurious words. And the soldiors being impatient, be command of thair leader, Capten Ker, fyre was put to the hous, wharin she, and the number of 27 persons, war cruellie brynt to the death.

The Laird of Parbrothe also, being a gentilman favorer of the Queyne, wroght be sik slight, that he wan the castell of Brughtie in the river of Tay, fra the hands of thais that held it for the Regent. And the soldiors of Edinburgh being hungerit for scant of meat and fyre in the begynning of the cauld dayis approching, as thay war past furth towart the Borrowmure, the horsemen and futemen of Leyth war lying in await at the park of Halyruidhous ; and espying thame in the playne feyldis, thay set on thayme, and tuik Capten James Hakkerstoun preasoner, and the number of thrie scoir ten soldiors hurt and takin. On the uther syde, Capten Mitchell, as he was over fordwart, was evill hurt at the Kirk of Field Port, and takin preasoner. Tharefter the horsemen of Edinburgh came within the fensible bounds of Leyth, and tuik



preasoners, and slew thre obstinat persons at pastyme that wald not willinglie be takin.

At this tyme Johnne Lord Maxwell was contractit in marriage with a sister of Archibald Erle of Angus, and Mortoun had maid provision for a bancat to be maid in Dalkeyth, for feasting of sum nobles and gentilmen to that handfasting. And as the wyne was cartit in Leyth to be careit to Dalkeyth, with store of vennisoun and uther great provisioun, the same was sa notifeit to the people of Edinburgh, that thair horsemen sortit, apprehendit the same in the hie way, with sum silver veshell, and broght the same saify to Edinburgh : and Mortoun having sustenit this lose, he directit sum armit men to the lands pertenyng to the capten of the castell of Edinburgh lying in the province of Fyffe, wha brynt all the cornes and his hous. Bot the toun of Dalkeyth that same nyght sustenit als mekle skaith for that interpryse be burning and slaughter ; quhilk was upoun the 8 day of Februar.

And befor that moneth was endit, the Lord Ruthven was directit to the south, to annoy the Laird of Ferneherst and his friends ; and as he was in his way, he interceptit some soldiors of Edinburgh, wha war directit to Jedburgh for his supplie. Thair leaders war, Capten Olephant and Serjand Smyth. He maid thayme preasoners ; bot upoun promeis that thay sould enter agayne when thay sould be requyrit, he demittit thayme : And within few dayis tharefter, he destroyit the biggings of Ferneherst, the cornes, and all that he could be maister of ; whilk was als sufficientlie revengit be the seldiors of Edinburgh, wha immediatlie efter the

report of thir newis, addrest thaymeselfis to certayne lands of the Lordship of Dalkeyth, and thare destroyit the cornes and houssis be fyre ; and in thair returne persavit fiftie sax horssis from Dalkeyth to Leyth passing laiddit with aill ; thay brak the barrells and maid pray of the horssis, and broght into Edinburghe many ky and oxin furth of that Lordship for supplie of thair scant and hungar.

Be this tyme the Lord Seytoun was returnit out of Flanders and was cum to Edinburgh, and Mortoun fearing least sum subsidie sould have cum from that payrt to the Queynis favorers be his lang negociatioun, he essayit be all meynis ather to get knowlege tharof, or els to destroy the messenger ; and tharefore he intysit the Lord Lindesay to desyre talking with the said Lord Seytoun ; and the adverteisment being sent be Lindesay unto him how willing he was to talk with him, he condescendit to sik tyme and place as sould best please to Lindesay. Bot as he was cum furth of Edinburgh simplie, not looking for any fraud to be usit, he was in the meyne tyme adverteist crediblie be the way, that thair was men layd in ambuscade to have trappit him ; and tharefore he considerit suddanlie the daynger, and resolvit to reteir bak, and sa that fraudfull meeting was dissolvit.

The Queyne of Ingland sent in hir double ambassadors in Scotland ; the ane Mr Randoll, to mak residence with the Regent ; and the uthir Mr Carie Marishall of Berwick, to talk with the capten of the castell of Edinburgh, and to ingyre himself in favors as a 1572.

privat friend to that caus, that he might in the meyne tyme espy the fortificatiouns of the hous, gif it war possible ; and for this caus he was frelie permittit to mak oft visitatioun, whilk the capten efter repentit.

And as the horsemen of Edinburgh war still bissie, and awaiting upon chances of victorie and revenge, thay espyit the Lard of Coventon ryding to Leyth, and broght him bak preasoner. Thair was fundin with him a reasonable gude purse of money pertenyng to the Erle of Mortoun, wharewith he intendit to have payit his soldiours, bot was sumwhat preventit this way be men of greater mister nor he had for that tyme. Tharefter, the Parliament tyme of Leyth approaching, the horsemen and futemen war cum furth to provok weare aganis the Queynis factioun in Edinburgh. On the uther part thais of the toun marchit furth in order of battell, still keaping their ranks within the privileges thair of, on the south syde. Bot the horsemen of Leyth, to mak forder contempt, thocht meit to ryde about the toun and the castell to shaw thameselfis brave ; and as they are rakleslie cum to a place callit Brochtoun, and assemblit in a troupe, a great cannon of the castell was delashit amangis thame, whare be chance that martiall nobleman, the Lord Methven, with seavin uthir horsemen, was killit. Bot before thay went hayme they past toward the toun myllis, and brak thame all doune, to the end they sould serve the inhabitants to na use, and to depryve thame of cornes, and withall pat in garrisons of soldiours in the college kirk of Corstorphin, Reidhall, Marchestoun, Craigmillar, and all uther fencibill places and housis about the toun,



to impesh all kynd of meat, drink, fyre, and uther necessers to be broght in; and when any persons war apprehendit with any thing careing to Edinburgh, thay war broght to Leyth, and thair thay war ather condemnit to the gallous, or to be drownit, or to be brint on the cheik. On the uther part, the Lords of Edinburgh placeit garresons in the castell of Nedrie Seytoun, at the castell of Blacknes, and the Peill of Levestoun, and ishit out at divers tymes, and gat divers prayis of cornes and cattall, whilk thay sent to Edinburgh. Bot the Lords of Leyth howsone thay apprehendit any of the horsemen of Edinburgh, or soldiors that war takin in the feyld at fayre weares, thay war not ransomit or interchayngeit according to the law of armes, bot hangit without sentence or mearcie. In consideratioun whair of, the uther partie did the lyke with thair enemeis soldiors, evin in thair sight. And this severe form of doing continewit fra the saxtene day of Aprile, 1572, to the 8 day of Junij, that a law was maid be baith the parteis in the contrar.

The Duc of Alva at this tyme, be command of his Prince, had directit sum gold in Scotland be a Frenshman callit Seruie, quhilk was convoyit to the castell of Edinburgh in a frear of feggis, be the meyne of Mr Archibald Dowglas, Person of Dunglas, and his servand Thomas Bynning, wha had conspyrit the death of the Erle of Mortoun; for he had commandit his servand to shute him with a pistol, bot as he was about the accomplishment of this fact, his gun maid na service; wharefore the Person was wairdit in the castell of Lochlevin, and the Marshall of Berwick maid procurement for the servand, and he was deliverit unto him.

And notwithstanding of the great government and credit that Mortoun had in court, it was not for all that but certayne points of envie in all estaits, and nymlic of the kirk, and continewit on unto the end. For a certayne Minister hapnit to affirme that he defendit ane unjust cause, and that he could repent for the same when tyme could not permit. This Minister was apprehendit and committit to prison : and being demandit, be whais command, or at whais instigation or perswasoun he allegit this words ; he answerit that it was be perswasoun of na mortall creature, but only be instigation of the halie spirit. Bot Mortoun not content with this answer, causit put him to torture, whareby he grew an weak, as he could not stirre from his bed : notwithstanding wherof, he causit him be borne to the gallows, wheren he was hangit to the death.

Therefor it pleasit the counsail of the Lords at Edinburgh to direct sum soldiers to the north, to Sir Adam Gordon : and for thair saif passage, directit thayme to go to the castell of Blacknes, thair to be shippit : and the people of Leyth getting knowlege of this, directit sum horsemen to intercept thayme : and thay overtaking the fawmen, chargit upoun thayme : and the fawmen persaving that they had na reschew nor advantage, war deliberat to rander. Bot the horsemen of Leyth, efter thay had ressavit thayme as prisoners and ressavit all thair weapons, thay slew fyfene of the maist able and strong men of thayme : thay hurt serjant Smyth, and led away the Lieutenant : the remenant thay drive to Leyth lyke sheep scabbing and dauting thayme with speares

whare thay war all hangit without forder proces : and this forme of dealing was callit the Douglas Wearis. And the soldiours tayne be thayme of Edinburgh war acquit be that same forme of law, in playne sight of thair enemeis, baith them that wer preasoners afore, and thais that wer tayne at a skirmish at the new brig besyd Edinburgh at the wast hand. And besyde all this, thais of Edinburgh, dischargeit the Commissers wha war reterit furth of the toun, and thay creat new Justiciers in thair rowmes ; and becaus fyre was scant within the toun, thay caist doume fayre logeings pertenyng to thair enemeis wha had abandonit thair awin toun, the defence thairof, and the caus of the Prence, and pat the tymber to the mercat to be sauld at the darrest pryce be the weght. And siclyke they ordanit an officiar, wha was callit be the vulgar people the Capten of the Chimnays, to pas to the housis of the fugevis to bring thayme furth, to be sauld in the mercat-place, or els to ressave sik a compositioun as they sould be estemit worth. This extreme dealing of rigor on all hands bred sik terror in the heartis of sum neutrall people of Edinburgh, that sum of thayme, what for fear of the plague of famine and povertie, and what for feare of puneishment, thay withdrew thaymeselfis to Leyth, thinking to mak a forme of obedience to the Regent : bot Mortoun cawsit a proclamatioun to be maid in thair contrare, that thay sould all reteir tharefra, under the payne of death, thinking that thay war onlie reteirit to be spyis.

Then the noblemen and gentlemen of Edinburgh drew thair forces towart Merchestoun, to wyn it ; bot it was sa stranglie

keapit, that the soldiours of Edinburgh spulyeit the housis nar the great towre, and tharefter raisit fyre round about, that the smocke sould compell thayme to yeald. Bot all was in vayne ; for the men of Leyth came furth, and scaillit that interpryse, and tharefter the men of Edinburgh raisit fyre at the Seynis in the Borrowmure.

The Queyne of Ingland pat the King of France and his courtiers in opinion, that geve unitie could be contractit betuix the subjects of Scotland, she wald put the Queyne at libertie, and repone hir to hir awin place agayne. Bot as hir thoght and intentioun was in this purpois, sa war the negociators electit ; that is to say, as thay este-mit baith littell of hir, of hir honor, of hir place, and of hir calling, sa for hir thay directit sik men as were nather of noble blude, noble rank, noble place, or noble calling. And althoght the King of France had directit his ambassador Monsieur La Croc to Ingland, first desyring that Queyne Marie sould be set at fredome, and that she sould direct an ambassador of hers to Scotland conjunctlie with his ambassador, to intreat peax amang the subjects of Scotland ; she electit na worthier man for this purpose nor Sir Williame Drowrie Marshall of Berwick, wha was the speciall instrument of the destructioun of the Queynis favorers, as was efter provit in effect. The Queyne of Ingland indeid consentit to the ane petitioun, to send a condigne ambassador to Scotland for contracting of peax, althoght she menit litill of that purpose in effect : Sa that Monsieur La Croc for France, and the Marshall of Berwick for Ingland, war sent hither in the moneth of Maij, and war ressavit be baith the pairties with great joy. Tharefter Monsieur

**La Croc** directit a trumpet to Edinburgh, desyring Monsieur Verac ambassador for France to cum and talk with him; whilk was permittit be bayth parteis; and thay then past to Lestalrig, whare the ambassador of Ingland remaynit; and thairefter all thre returnit to the castell of Edinburgh, whare thay conferrit lang with the Lordis upoun the xxj day of Maij for sum articles of peax, bot never concludit any myds: whareupon it followit, that the ambassadors all thrie returnit to Leyth that nycht.

Bot the soldiors of Leyth, evin as thair maisters, had na mynd of peax, bot travellit to corrupt the garresoun that lay at Nodrie Seytoun; and in effect had sa corruptit a perfyt man as thay thocht, that he condescendit to let thayme have entres thair in the nycht, and a certane tyme was prefixt to this purpose. Bot he not willing to keap promeis unto thame, adverteist his capten, and willit him to invent sum remeid agayne that tyme; and the capten greatlie praysit his soldior wha thair had done, and rewardit him condignlie; so that agayne the destinat nycht, he pat that same soldior upon the watche, and the capten himself stude by him, with the haill cumpany in thair armure; and when the men of Leyth, wha then lay at garresoun in Corstorphin, war cum furth from thair tents, luiking for na uther thing bot, with ease of the expectit falset, to have ledderit and wyn the hous, thay war this way preventit. The capten at Nodrie causit prepare certayne lang havie peces of aykin tymber, and cawsit thayme to be measurit according to the squair of the towre heid at all partis; whilks war hungin a litill over the wall with rapes and cordis, that same nycht at evin, and



war reddelie preparit at all partis. And when the enemeis had put to thair ledders, and callit on the man wha maid the promiseis, and he mayd ansuer, thay montit with the better will. The capten supponing the ledders to be full, cawsit immediatlie the cordes to be cut, wharethrow the tymber fell in sik weght upon the assailiants, that seventene of thame war crushit all in peces, and lamit fyftene. Tharefter the Capten ushit furth, and persewit the rest to Corstorphin ; bot sa mony as war saif escapit with great speid of feit.

Then Mortoun, as he was still ather equall with the Regents, or els above thayme in counsall and commanding, he cawsit prent a new kind of leyit money in his castell of Dalkeyth, of the price of sax shillings and eight penneis, to have course in the cuntrie be the Regents proclamatioun. And at this same tyme was prentit, in the castell of Edinburgh, certane especes of fyne sylver, availing threttie, twentie, and ten shillings the pece : these Mortoun cawsit to be brokin doun, to mak up his new sophisticat coyne, whilk tharefter had course for a lang tyme.

Tharefter Johne Lord Fleyming returnit from France with gude store of gold, for payment of soldiours feyis, and he came saiflie to Edinburgh upoun the 26 day of Junij. Bot upon the fyft day of Julij, he was be accident hurt thair sa deidlie in the kneey by the shot of a hagbute, that brak sum staynes of the streat, whilk reboundit aganis him, as he deit tharof upon the 6 day of September nixt following.

In the moneth of Maij, the Erle of Northumberland was randrit to the Queyne of Ingland, furth of the castell of Lochlevin,

be a certayne conditioun maid betuix hir and the Erle of Mortoun for gold ; whilk was thankfullie payit to Mortoun before that the preasoner was entrit within Inglish grund, and he was beheadit at hayme lyke a traitor. And indeid this was unthankfullie remembrit ; for when Mortoun was baneist from Scotland, he fand no sik kynd man to him in Ingland as this Erle was. Bot how God payit him for this unthankfulnes, sall be reportit heirefter.

At the begynning of the nixt moneth, the greatest number of the soldiors of Leyth, bayth horsemen and futemen, addrest thaymeselfis the second tyme to the wyning of Nodrie Seytoun ; and thais of Edinburgh, to withdraw thame from that purpose, went to assege the hous of Marchestoun with sum peces of ordonance, wharewith they persit the wallis thair of at sindrie tymes ; and the horsemen of Edinburgh in the meyne tyme rayd over the south feyldis peceable, and broght in many oxen. And the keapers of Marcheston persaving thameselfis so straitted, thay entrit in talking for compositioun ; and in the meyne tyme thair came in thair sight a great cumpany of cuntrémen, wha marvellit mair at the noyse of the gunnis than for any intentioun thay had to impesh that purpose : Bot the soldiors of Edinburgh became so effrayit as immediatlie thay sent hayme the gunnis, and went be a quyet way to-wart Leyth, and came fordwart thair jurnay in the sight of Leyth. The Regent persaving this, ushit furth with sum small cumpany in thair faces, and withall had sum uther of his horsemen lying at a syde passage of that same way, covertlie ; and thay spying thair ene-meis, thay chargeit upoun thayme sa furioslie, that thay compellit

thame to exoner thaymeselfis of thair weapons, for lightnes to escape the daynger. At this chayce fyftene burges men of Edinburgh war takin preasoners, and led to Leyth, and twa of Marchestoun soldiours broght to Edinburgh.

And for all this, the garreson of Nodrie Seyton had preparit for sum cornes to be sent in to Edinburgh, whilk thay saillie convoyit. Bot at thair bak cuming, the Laird of Colentoun and the Laird of Curriehill lay in thair way, and ombeset the cariers, and broght thayme to Corstorphin, thair to remayne captevis. The Lord Seytoun hering of this, montit on horsbak with certayne chosin men, and came to Curriehills hous, broght him furth thairof perforce, and led him preasoner to Nodrie; and be the way he encontrit uther fourtie horsis pertening to the Laird of Lochnoreis, whilk nomber he led all with him, and laiddit thayme with cornes to be careit till Edinburgh; and tharefter he demittit thayme frelie. At this tyme the famine being great within the toun, the soldiours ishit out sindrie tymes to certayne grayngis and barn yardis weill provydit with cornes, and broght the same in for payment.

And becaus thay had sik store of gold in Edinburgh, and thocht thair partie sufficientlie strang aganis the Lords of Leyth, thay directit Capten Wauchop with his band be sea towart Aberdene, to Adame Gordoun, Lieutenant in the north for the Queyne, to supplie him in his adois. Bot the store of Edinburgh victuals being daylie scant, thay directit as afore sum horsemen to scurrie the feyldis for vivers; and as thay war bringing hayme sum oxin, and uther comestible guddis, the soldiours of Merchistoun inter-

ceptit thair vayage ; and sum horsemen of Leyth being abroad at that same tyme, came pricking toward the noyse of the hagbuttis : and in the meyne season, the horsemen of Edinburgh war lightit on fute, and had chargeit upoun thair enemeis in sik sort, that thay slew thair cheif leiders, ane of thame callit Patrik Home of Polwart, and the uther Home of the Hewch, with foure uther gentilmen, besydis many uthers hurt at that conflict, and dyvers preasoners takin. The great caus of this victorie was the suddan supplie sent from Edinburgh, wharby it fortunit that à only horsman of thairs was hurt, and a suldart slayne be a shot from the towre of Marchestoune ; and this was done upon the penult day of Junij.

As thir materis fell prosperouslie furth in the south, sa war thay also in the north ; for Adam Gordoun Lieutennent thair, efter that he had bessaigeit many houssis of strenth, and broght thair maisters under the Queynis obedience, ather be great composition of money, be soveriteis or perforce ; at last, he was lying at the castell of Glenbervie in the Mernis, with a reasonable garreson of soldiars and a fyne trowpe of chosin horsemen, when adverteisement came unto him, that the Regent had directit sum noblemen and gentilmen to stop him of forder doing, and to releve the hous from assault. And he that nycht tuik deliberatioun with the Barrons in whome he trustit, wha thocht expedient, that rather he sould assailye thayme before thay cum fordwart, then to lye thair attending thair cuming. And to the effect he sould accompleis this with the greater secrecie, thay thocht maist

expedient that the haill futemen sould lye still about the hous, in thair trenschis, and the horsemen sould pas with himself that same nyght, and thais to be devydit in twa cumpaneis. Then ilk gentilman was prevelie commandit to have his men in reddines montit but sound of trumpet, that na adverteisment sould be gevin to the hous of thair departure, nather yit any discouragement to the soldiours ; for this purpos was communicat to thair captens secretlie ; so as when thay war all convenit on a fayre nyght, and in a fayre feyld far from the campe, it pleasit the Lieutenant to declayre his purpose and intentioun unto thayme ; and tharefter rayd on the heigh way toward Brechin, till thay came within tua mylis. Then he gave command to tua hundreth horsemen to pas the overway, and to cum in at the waster end of the toun be a previe furde ; and he, with the rest of his cumpany, sould assaile at the bridge, and that way. Bot thais that war directit away, nather went to the appoyntit place ; thay fulfillit na command ; nor war ever sene agayne in that cumpany ; and he thinking verelie that thay had fulfillit his command, maid him the mair stoutlie to assaile. Upon the north syd of Brechin, thair is a bridge, whareat the Regentis folk had placit sum watchemen ; and thais feyring na evill or invasion, behavit thaymeselfis mair negligentlie then became thayme of thair function. So the Lieutenents scurriours approching and finding thayme in sik sort, thay entrit upon thame saftlie, and presentlie slew thame ; sa that before any adverteisment could be gevin to the Lords within Brechin, the Lieutenents trumpets soundit with sa great noyse

at the port of that toun, that befor thais within could ather be perfytlie walknit, or draw to thair claythis or armure, thay war for the maist pairt haillelie interceptit ; threttie-nyne of thair gentilmen slayne, dyvers hurt, and a great number of people tayne preasoners. Thair was Robert Dowglas Erle of Buchan, Lieutenant for the Regent, chaissit with thré hundreth horsemen in his cumpany. Thair war takin preasoners nyne score and ten gentillmen or thareby, and a great number of fyne horssis was thair obtenit, besyde the spulye of armure and fyne clothes of menis rayment. And this was done upon the fyft day of Julij, a litill efter midnycht. Then he cawsit all the preasoners be brocht befor him, and spak unto thame on this maner.

“Gude cuntrémen, ye knaw that all victorie lyis in the hand of God, to whais haly nayme be all laud, prayse and honor for ever. And albeit ye be now under the will of me your adverser, yit rather mearcie nor vengeance dois becum a Christien. For albeit ye have thir dayes bygane stubburnelie resistit to the Queynis Majesteis laughfull auctoritie, and to me hir Lieutenant, I will use na severitie aganis you at this tyme, notwithstanding of the tyrannicall example of the Regent. Bot be the contrar, I will offer you all humanitie that I may, provyding that, fra this day furth, ye will behave yourselfis as dewtefull subjects to the Queyne, and never cum in the contrar : whilk I beseik you to do, and promiseis heir unto me, as ye will answer to God.”

And thay, hering sik humanitie offerit unexpectit, all in à voyce and cheerful countenance, be halding up thair hands, promittit faith-

fullie to performe, and ilk ane of thayme promittit faythfullie to be gude for uthers, be thair subscriptions then maid : and so he demittit thayme frelie. Tharefter he cum towart the toun of Montrose, and pitched down his camp in sight of the toun. And the Magistrats thareof feyring his invasion, sent out twa honest men to inquire of him, what he ment be his approche nar thair toun in weirlyk maner ; and geve he intendit to do thayme any skayth or not. He ansuerit, that he desyrit simplie, that first thay sould acknaulege him as the Queynis Lieutenant be a letter patent whilk he then shew unto thayme : Secondlie, that thay sould never oppone thaymeselfis in word or deid aganis the Queynis auctoritie, bot sould fortifie and assist hir and hir Lieutenant with all thair might : Thridlie, that for observing and acknowlegeing of thir premissis, thay sould geve in sum of thair burgessis unto him, to remane with him as ostages : And last of all, becaus thay had offendit in tyme bygayne, that they sould offer him a certayne pecuniall sowme in recompance of a remissioun to be grantit unto thayme.

The tua men acceptit of the petitions as messingers, and desyrit a saif convoy from the camp to the toun, that thay might report the same to the counsall, and tharefter to bring ansuer. And when the Magistrats, with assistance of thair counsall, had red and considerit the petitions, thay thocht gude, for eschewing of the imminent present daynger, to allow of the Queynis auctoritie, to desyre the Lieutenant humblie and earnestlie that he wald not burdene thayme with ostages, seing it was a thing not usit in the commonweill, and how difficill a thing it is for thayme to

performe ; seing na man wald willinglie grant tharunto ; and geve thay sould send thayme bund, it sould be thoght aganis all christien humanitie, whilk thay hoipit his hart did abhorre ; and tharefore, in respect of the povertie of the toun, that he wald nominat sum small sowme unto thayme, that mycht be collectit but harme of the pure. When thir answeris war with all humilitie and reverence presentit unto him, with many words of pitie and lamentatioun, he acceptit of thayme in that same forme, and tauld thayme what a sowme he requyrit, and this was quicklie brocht unto him : and so he departit with his camp towart Glenbervie agayne.

The novellis of thir proceedings war careit to the Regent ; and he cuming northwart, maid his Proclamations, willing all men to follow him : and the people of thais partis being obleist to the Queynis Lieutenent bot sa laitlie of before, absentit thaymselfis at that tyme, whilk was the cheif caus of his suddan returne ; so that the Lieutenant triumphit as he list without any impediment. As alsua in the southwest of Scotland, Lord Claud Hamiltoun being reft of his leving and rents be the Lord Semple, wha then possest the Abbay of Paislay be strang hand, as he was upoun the tent day of Julij passing furth to have reft sum pure tennents, Lord Claud set on him, chaissit him bak, slew fourtie tua of his soldiours, tuik fyftene of thayme as preasoners, and tharefter layd men about the hous sa lang, till a greter power was cum furth of another part to rescue the Lord Semple.

As maters of hostilitie ran thus on all partis, the Laird of Fer-



neherst also shew himself sum thing severe aganis the inhabitants of Jedburgh ; for, in the moneth of Julij, he tuik ten of thair men and hangit thayme to the death, and besyd all this, the provision that thay had collected for the wynter could he cawsit all to be brint to ashes in the fare feild.

And in that same moneth as I have oft receitit afore, the King of France still willing that peax sould be concludit in Scotland, to the end that thareby the Queyne mycht the mair easelie be reponit in hir awin place agayne, he directit his ambassador, Monsieur La Croc, in Scotland, upon the twelft day of Julij. As in lyk maner, the Queyne of Inghland directit hir ambassador to talk of peax, bot not to that fyne that the uther did. Bayth thair petitions war gevin in to the Regent, and to the Lords of the castell of Edinburgh ; and bayth the parteis gave ane uniforme ansuer, that as it sould seme best to the King of France, and to the Queyne of Inghland, to desyre thayme to do, thay sould with all thair hartis performe the same. Of this ansuer the ambassadors war verie glaid ; and becaus the mater was of na small importance, and greater then thay thocht was efferand for thair persons, thay sent ather of thayme adverteisment heirof to thair awin prencis. And becaus it wald be a lang seasoun, in respect of the sea passage, to get intelligence or ansuer from France, bayth the ambassadors concurrit togither, and desyrit of the parteis to condescend to an abstinence from all hostelitie and wearis, fra that day to the full accomplisment of tua monethis, and that all men sould frielie pas and repas betuix Edinburgh and Leith and els-

where throw all Scotland for that space ; and in the meyne tyme, that na man sould be permittit to offend his nychtbour be way of deid or evill countenance, under the payne of death ; whilk was willinglie grantit unto and obeyit be thayme bayth. The ambassadors also requyrit all great gunnis placit upoun steplis, blokhowssis, or uther partis, in or about the toun, for defence tharof, sould all be removit, in hoip of greater concorde to ensew. The lyke was desyrit at Leyth, and was presentlie performit on bayth sydis ; and tharefore to the end that thair laubors sould not be obscurit, bot maid patent to all the subjects of Scotland, thay concludit in thais termes following.

#### THE ABSTENENCE.

“ WE, the Nobilitie and uthers, subjects of the realme of Scotland, at the instance and exhortatioun of the ambassadors of the maist Christien King of France, and of the Queyne of Inghland, maid unto us for our selfis, our assisters, partakers, and sik as dependis on us, be the tenor heirof promiseissis an Abstenence and cessatioun from hostelitie betuix us and our intestine adversars that presentlie be in armes aganis us, thair assisters, partakers, and sik as dependis on thayme, to begyn this present day, and to indure whill tua moneths be fullelie outrun ; during the whilkis we obleis ws, and promiseissis, that with all securitie the said abstenence from wear, and cessation from hostelitie, sall continew : And geve it salhappin the Nobilitie and estaits of this realme to convene at any part, to advyse upoun generall peax and gude ordor to be tayne for the cun-

trie, that in that case, thay with thair full cumpanyis salbe in full suretie in thair cuming to any place, remanyng, or returning tharefra, during the said space of tua moneths. And to the effect that sa gude and necessar a wark be not hindrit, We accord, that during thais present trewis and abstinence, tua, thre, foure, or fyve, ma or fewer, of ather of the parteis, may communicat togithir in all suretie, in sik place as salbe aggreit upoun, to oppin up the meynis for the mair facill attening to a gude peax. And geve it sall chance, (whilk God forbid) that at the assembleie of the said nobilitie and estaits, the peax and reconciliatioun may not be concludit, We, be the tenor heirop, for our partis, referris the difference betuix us and our adversers to the arbitrement of the maist Christien King of France, and to the Queyne of Ingland ; and promeissis faythfullie on our honors to accept all conditions concernyng the peax, whilkis thair Majesteis sall propone unto us : Provyding that the persons following salbe subject to the censure of law whensoever thay may be apprehendit, notwithstanding of this present abstinence, that is to say, James Erle Bothuell, Johne Ormestoun of that Ilk, Patrik Hepburne of Beinstoun, Patrik Wilsoun, James Hamiltoun of Bothuelhauch, Johne Hamiltoun his brother, with the haill thevis and brokin men, inhabitors of the Borders and Hielands, disturbers of the publik peax betuix this realme and Ingland, and oppressors of the peceable subjects of this realme. And We promise on our honors, that we sall cover nayne of thair faultis, bot onlie sik as have bene directlie done in our quarrell. And geve, during the abstinence, thay sal hap-

pin to do wrang to any man, We all do consent, that thaybe puneist as appertenis, and sall seik na impunitie for thayme, for any attempt done aganis Ingland ; bot understandis that thay salbe answerable for the same, conforme to the lawis of the borders. And to the effect that the haill subjects of this realme may assure thaymeselfis to be presentlie dischargeit of the burdene of weare, and may with the greater desyre embrace the peax when it sall pleas God to send it, We aggrie, that, during the said abstinence, all the subjects of this realme, of whatsoever qualitie or condition thay be of, (except before exceptit) may frelie and liberallie resort and hant, speik and convene together, over all the partis of this realme untrublit, molestit, or impeshit, ather in body or gudes, be worde or deid, in the law or besyde the law, and takis our saidis intestine adversers bering armes aganis ws, thair assisters and parttakers, and sik as dependis on thayme, mutuallie in our protection, consorting ane with another, faythfullie, without all murmour, that may be done be ather of us, or any that we promise for, or be any of thayme that be ennemeis to peax. Mareover, We promit to use all meynis of peax, to have and use familiar communicatioun and conversatioun ane with another, to the effect that the hartis of the offenders and offendit persons may be mollfeit, and inducit to forget things that ar alreddie by past, and therefore to acknaulege that we are members of à bodie, of à cuntrie, and naturall Scottismen ; na communicatioun or conversatioun salbe forbiddin be ather of us to uthers, but promits libertie over all places, townis, and bounds, whare ever it may be :

Provyding, that the toun of Edinburgh first of all be set at libertie, and be maid patent to everie intrans, sa that na place tharof salbe forfeit or withhaldin with garresons, saving the castell and fortres, that of auld and before thir trublis hes bene accustomat to be forfeit and gardit ; that be this meyne all men and servands, without feare of soldiours or violence, may frelie resort, enter, and dwell in thair awin houssis as thay pleas, induring the saidis trewis and abstinence. And becaus many persons within this realme during thais trublis ar seasit upoun uthers lands, and that the fructis tharof ar presentlie to be collectit in : Tharefore, to the effect that na stop or impediment of peax may ensew tharon, We accorde and aggrie, that thay wha hes the saidis lands sall not uplift the fructis and cornes thareof, bot sall leve the same stakkit in graynges, or upoun the feyldis, undisponit upoun any way whill the end of the said abstinence. And for observing and fulfilling of all thais articlis abone specifeit, We obleis us, upoun our fayth and honors, and be our solemnit aythis, to keap for our selfis, and to caus and compell all our adherents and favorers to do the lyke. In witnes whareof We have subscriyvit the same with our hands, At Edinburgh and Leyth, in presence of the ambassadors foirsaidis.

This was proclamit first in Edinburgh, and then in Leyth, to the great joy of all peceable subjects, and to the great releif and confort of many pure people opprest with famine, scant, and thraldome. Bot althoght, be the articlis of this Pacificatioun, the

soldiors of ather partie war fullelie dischargeit, and that the governors and captens of Edinburgh had fulfullit thair partis, and maid the toun patent ; yit it pleasit the fugitevis from Edinburgh to geve evill example to uthers ; for upon the morne, thay marchit from Leyth with displayit baner to Edinburgh, and plantit a gardehous at the common scambles thair ; and the soldiors of Leyth came up in that same maner, and plantit another gardehous at the kirk. Thay compellit the inhabiters of the toun to lay all armure from thayme, althocht thayme selfis keapit thair swordis all the day lang during the abstinence, and behavit thayme selfis towart thair nychtbors rather lyke unto commanders and maisters then ordinar citisens.

On the nixt day, viz. the first of August, the Regent and his Lords came ryding to Edinburgh, and Duc Hammiltoun with the Erle of Huntlie, Lieutennents for the Queyne, departit tharefra : and in the meyne time sik tyrannie was usit aganis the inhabitants of Edinburgh that favorit the Queyne, remaynit within the toun, and keipit thair awin howssis, that thay war sa opprest aganis gude conscience and aganis the common peax, that notwithstanding of the great straitnes, povertie, scant, hungar, famine and cauld, that thay sustenit before the peax, the haill garreson of the futemen of Leyth war placit in honest mennis howssis, to be fed and harbareit upon thair expenssis, as a forder testimonie of thair ordinar malice usit aganis the Queyne and the common repose of the cuntrie in tyme bygayne : And for all this, a new abstinence was concludit to continew till the first day of Januar ; and thare-

fore, in hoip of compleit concord to continew, the ambassador of France, efter that all things war sa weill begun, and sa few differences unconcludit, he, with favor of bayth parteis, returnit hayme. Tharefter the nobilitie convenit in Edinburgh, upon the 27 day of September, whare all debaittable maters war reasonit upoun. Bot as I tauld yow afore the nature and qualeteis of the Erle of Mortoun, that he wald not be a second unto the Regent, sa now his mynd from unitie and peax was sa declynit, as be the effectis upon his part salbe forder declarit.

For albeit the Lords of the Queynis factioun wha then remanit within the castell for thayme selfis, and the capten for him self, gave in thir articlis following, whareunto the Regent wald willinglie have condescendit ; bot be the contrare, Mortoun, not only be him self refusit, bot intysit all the rest of the counsall to dissent thareunto ; whareupon it followit, that the Regent (being a man of meik and humayne nature, inclynit to all kynd of quyetnes and modestie) consavit sik greif of mynd, that he decreittit na langar to remayne in Edinburgh, and tharefore departit to Sterling, whare for greif of mynd he deit the xvij day of October, to the great displeasure of all the gude men of Scotland ; and left the keaping of the Kings person and the castell of Sterling to his brother, Alexander Erskin, and to the Laird of Tullibardin. [Ef-ter him dyed Johnne Knox in that same moneth.] Bot Mortoun sa handlit the mater tharefter, that he buddit Tullibardin with the office of the Comptrollar, and thareby maid him to renonce his parte ; and sa handlit Alexander Erskin, that he ment to debarre

him and all the hous of Mar fra that office, as is odious to reherse ; whilk salbe sufficientlie declarit in the awin place, to the whilk I remit you with patience.

THE ARTICLIS AR THESE.

“ ALL the persons principals now remanyng within the castell, for thayme selfis, the captens wha have servit and now servis, thair soldiours and all uthers wha have tayne part with thayme, desyris, that be a declarator in Parliament, thay may be discharged of all crymes committit be thayme, or any of thayme, sen the begynning of the trublis ; and that all actis, decreittis, sentences, or whatsumever proces led aganis thayme, ather in Parliament, in secret counsall, before the Justice Generall or his deputtis, and before any uther Jugeis, to be declarit null and of na effect, and all wryttingis maid thareanent to be cancellat and obliterated, and to be retreitit presentlie, that thay may be entrit to thair rowmes, heretages and possessions, and that na person or persons injure or sclander thayme for any caus or occasion bygayne, under the payne of death.

“ *Item*, the Capten desyris to mak compt and restitutioun of all the prencelie jowels and uther movable guds delyverit unto him at the acceptatioun of the hous, ather to the Queynis Lieutenents, or to sik uther person or persons, as the Nobilitie now assemblit sall decerne ; and that he may have a sufficient discharge thareupoun be act of Parliament ; as also a discharge of the gudis of



the people of Edinburgh put thair in custodie, provyding that thay crave restitutioun within a moneth.

*“ Item, thay desyre that the castell of Blacknes, with sufficient munitioun, be gevin in keaping to sum condigne man of thair company, be consent of bayth parteis, together with the rent annexit tharunto.*

*“ Item, that the airis of the Lord Fleyming, the lard of Wormestoun, and uthers that war slayne, and departit this lyf in the Queynis caus, may enter to thair heretages and rowmes, as thocht thay had never bene forefaltit.*

*“ Item, that the castels of Home and Fastcastell, with the lands and mayns thareof, be restorit to my Lord Home, and the abbay of Coldinghayme, with houssis, graynges, maynis, and all uther pertinents, be restorit to John Maitland prior thareof, and that the Queyne of Ingland sall promeis to menteyne and defend thayme tharin.*

*“ Item, the capten desyris, in respect he hes contractit great debtis in these weares, that he may have the sowme of twentie thousand markis allowit to him for payment thareof.*

*“ Item, the capten desyris, that my Lord of Mortoun sall resigne the superioritie of the landis of Graynge, and uthers landis annexit thareto in the King's hands, to be haldin of the Croun at all tyme to cum.*

*“ Item, the capten desyris, that ane of his gentilmen may have licence to pas in Ingland to speik with the Queyne of Scotland.*

*“ Item, the Lords within the castell desyris the hous to be con-*

signit in the hands of the Erle of Rothes, with the haill furnessing and rents appertening thareto; and that licence and pasport may be grantit unto thayme to repayre to France, or to sik uther part from Scotland as thay sall think maist convenient, and that the Erle of Rothes may be sovertie for accomplishment of all thir premissis."

What the refusall of these artielis wrought, I have tauld yow in á part; and the uther was, that becaus amang all the factioun that resistit the Queyne, thair was na man fund sa abill for ambitioun and freyndship to double out the caus aganis hir, and for him self and for thayme wha war his ennemeis, as he wha was chosin to succed in place of the last Regent. And as he mycht have bene the first, for his factious dealing, and his contenance in guyding, commanding and counsalling all thayme wha war surrogat to be Regents before him, so was he also the last in order and number. And what thankfull service he did to this yong King, nather for malice he bure to the mother, nor for any favor that he at any tyme utterit toward the sone, saving onlie that he wald have had his person alsmekle thrall to his affections within Scotland, as he had his mother thrall to the empresonement of England, for the impunitie of his former trespassis; ye sall knaw how he was recompancit be that same Prince, to whome he pretendit to have done best and maist thankfull service; yea evin for that same verie fault, that he him self accusit the Queyne of Scotland of in oppin audience at the counsell of England; for that same fault, I say, King James the Saxt puneist him to the death. Always at

the entrance to his office he became seik, and Secretarie Lethingtoun getting knowlege tharof, directit a letter unto him for freyndship ; becaus when he was in great credence at court with the Queyne, he shew him self to be the Erle of Mortouns maist speciall freynd, and tharefore desyrit then to have a meating. The Regent ansuerit, that what gude he had schawin to him then, it was recompancit lang syne, bot to shaw him freyndship now he could not, becaus he fand him unworthie.

And the Queyne of England for hir part sent in Mr Killegrave to Scotland, to requyre the Lords of the Queynis factioun for a further abstenence. And becaus Monsieur la Croc was before departit hayme, and the Lord Home, the capten of the castell of Edinburgh, with sum uthers, war withdrawin be Secretarie Lethingtoun from peax, beleving that the Erle of Mortoun was not able to annoy thayme, thair fell out in the meyne tyme, sik a devisioun amang thayme, that albeit the noble Lords before nominat, wha reterit from Edinburgh, upon gude and humayne respectis, had requyrit and counsellit thayme for peax embracing, and persuadit thayme thareunto, thais of the castell wald naway condescend, for any motioun that the ambassador could mak unto thayme, unles the foirsaidis articlis had bene grantit. The ambassador reportit this forme of ansuer first to the Regent, and consequentlie to this Queyne of England ; and the Regent wald naway condescend to forder abstenence, without a simple demisioun of the castel of Edinburgh in his hands ; and this was alluterlie refusit be the capten : Wharupon it followit that my Lord

Lyndesay, a suppost and favorar of the Regent, wha purposelie was creat Provost of Edinburgh, was movit to command that a forteres and bulwark sould be erectit before the face of the tolbuyth, that luikit to the castell, in the strait passage fornent the gold-smythis shops, to be as a defyance aganis all shots of the castell that way as could annoy the place of justice. And siclyk another was erectit in the strait passage fornent the north dur of the capital kirk, for saiftie of thayme that sould ather enter to the kirk for devotioun, or to the tolbuyth for obteyning of rycht, or for the defence of wrang. So the abstinence being at this time outrun, and the capten persaving these defyances layd aganis him, and a garreson of men of weare layd at the wast port of Edinburgh, to stop all kind of viveris to cum to the hous, as also to stop thair ishe and entrie, he on the uther part declarit his defyance on the morne, be shutting of sum cannons down in the toune, directlie aganis a new mercat place of fish ; whareby a man was slayne, dyverse hurt, and the fishis blawin sa heich in the ayre, that thay war sene to fall upoun the tops of heich houssis, and sum of thayme to fall on the streits in great aboundance. Heirby the ambassador was movit to depart hayme, and Sir James Balfoure removit from the castell, to demand peax and pardoun ; whilk was grantit be the Regent in sik sort, that he was presentlie restorit to his haill houssis and rents that he possest of before.

And the capten persaving this straitnes, maid a proclamation on the castell wall, commanding all the Queynis trew subjects to pas from the toun, or els to reteir thayme quyettlie in thair awin

habitations : Siclyk commanding hir rebellis to depart from the toun within thré dayis, under the payne of daynger that might ensew.

The Regent, on the uther part, persaving that the maist potent Lords of the Queynis factioun had peceable subjectit thayme selfis to the King of France and the Queyne of Ingland's arbitrement, and that thay war na wayis willing to declyne from the commoun peax, he first commandit that na man sould injure another be worde or deid, for any occasioun that hes bene in thir tymes of troubles, sen the death of King Henrie to that present day, under the payne of death : Secondlie, he proclamit a Parliament, first for the benefite of all the Queynis favorers, that thay sould be restorit to the Kings peax, and remittit for all bygane offences that thay have committit be the Queynis service : As on the uther part, for puneishment and utter exterminion of thair wha wald not be participant of that peax ; whareby succeidit sa great accidents, and sa contrarious in the self, that I think the lyk hes not bene writtin of thir mony yearis before ; to the consideration whareof, according to the event of the consequents I remit yow.

Bot before the articlis of peax war pennit, thair fell out a small accident worthie of memorie, that, geve the same had tayne gude event, I think the peax sould not sa suddanlie have bene contractit. For I tauld yow afore how Sir James Kirkaldie was directit to France, and he remaynit sa lang thair, that, be permission of the Queyne of Scotland, and favor of the King of France, he obtenit a haill yeiris proffet of her drowrie ; whilk he brocht

saillie into the castell of Blaknes upoun the 26 day of Januar. Bot the capten gave up the hous in the hands of the Regent, and also all the gold that was brocht out of France, and Sir James was commandit to be empresonit thair. Yet howsone the capten was past furth of the hous, Sir James subornit the soldiors to posses the hous for him, and thay did the same upoun promeis of rewarde ; and thay layd hands first upoun the captens brother, and nixt upoun all the rest of the gentilmen, and band thayme all in irnes. Tharefter thay ishit out upoun the people of the cuntrie, and brocht in cornes and uther vivers for sustentatioun of man, thareby intending to have keapit the hous be strang hand. The Regent hering of this, devysit a subteltie in the contrare, and perswadit the knyghtis awin wyf to betray him ; as she did upoun the tent day of Februar nixt tharefter ; for she, under culler to vissie him, and to congratulat his prosperous returne, remanit with him the best part of a haill day. Bot when she was willing to pas hayme in the evening, she could not be content unles he with his soldiors sould convoy hir a pece of the way from the hous, allegeing that Capten Lambie was lyand in the way to tak all from hir. And in the meyne tyme that capten was sa foresene of this devysit stratageme, that he knew weill that Sir James sould be traynit furth ; and therefore he lay at the bak of a hill nar the castell behaulding the tyme, sa that howsone he espyit Sir James to be removit from the hous, he then immediatlie approchit with his soldiors, and plantit his men betuix him and the place of his retrait. And as Sir James was cum bak, thinking of na impedi-

ment, bot to have saiflie returnit to the castell, he fell in the hands of the said capten efter a light scarmeshing, and was led preasoner perforce to the palice of Lithgow ; wharin he remanit till it pleasit the Regent to caus him be transportit to Dalkeyth.

Within tua dayis efter, the capten of the castell of Edinburgh cawsit a great destruction to be executit in the toun ; for in the nycht, at the houre of suppar, he exposit sum of his soldiors to sum houssis besyd the Wast Port, on a wyndie nycht, and pat thayme all on fyre, and this fyre sa inressit towart the east, that it extendit the self towart a chappell callit the Magdalen chappell ; and in the meyne tyme, to the effect that na impediment sould be maid thareunto, he cawsit delash sum cannons in face of the fyre, to terrefie the people to approche. This cawseles crueltie wrought na gude effect in the end, for not onlie the people that favorit him afore, and thais wha war his perpetuall ennemeis, sa cryit owt with maledictions, that he was saif fra na mannis cursing.

The Regent ceissit not in the meyne tyme to travell with Duc Hammiltoun, the Erle of Huntlie, the Erle of Argyle, and uthers the Queynis favorers ; and becaus Duc Hamiltoun was then growin auld, seiklie, waik and impotent to travell, he directit furth his sone, Lord Johne Hammiltoun, then Abbot of Arbrothe, with sum uther wyse men of the clan of Hammiltouns of his famelie, to consult with the rest of the Lords upon the articlis of peax. And when thay had all lang talkit of this godlie and gude purpose, be all thair consents, the toun of St Johnistoun was nominat to convene into. Thair came for the Regent certayne commissioners with

full power to conclude in all matters of peax, and himself promeist to be at Aberdoure to attend upon thair retorne and perfyt conclusioun, as he did in effect ; the sowme wharof to the benefite of the posteritie I have thocht gude to insert.

#### PACEFICATION.

“AT PERTH, the xxij day of Februar, 1572. The noble and mightie Lords underwritten, thay ar to say, Archebald Erle of Argyle, Lord Chancellor and Justice Generall of this realme, Johne Erle of Montrose Lord Grayme, William Lord Ruthven, Treasurer to our Soverayne Lord, Robert Lord Boyd, Robert Commendatar of Dounfermeling his Hienes Secretarie, and Sir Johne Bellenden of Achnowle knyght Justice Clerk, his Majesties Commissioners for his Hienes to the effect underwrittin, speciallie constitute on the à part ; and George Erle of Huntlie, Lord Gordoun and Badyenoch, for him self, his kyn, freynds and part-takers now presentlie depending on him, and Lord Johne Hamilton, Commendatar of the abbay of Arbrothe, for himself, and tak-and the burding on him for Lord Clawd Hamiltoun his brother, and all uthers thair kin, freyndis, servands and parttakers, now depending properlie on the Duc of Chattellerault thair father and the hous of Hamiltoun ; being convenit for treating and common-ing of the common trublis and cevile wearis now presentlie molesting this realme, sa long continewing tharin, to the displeasure of God, the decay and daynger of the religioun, the hurt and pre-



judice of our Soverayne Lords auctoritie royall, and to the confusion of the lawis, policie and haill estait of this commonwealth; having heirto the earnest motioun and solistatioun of the Queynis Majestie of Ingland, narrest Princes in the warld to his Hienes, baith be blude and habitatioun, maid on her Hienes behalf be the rycht worshipfull Mr Henrie Killegrave, hir Majesties ambassador, efter mature deliberatioun and avysement, to the pleasure of Almychtie God (wha is the God of peax,) the religion of Jesus Chryst, and of the royall person and auctoritie of our Soverayne Lord, and common peax and quyetnes of this realme, ar convenit concordit and agreit, as efter followis.

First, That all and whatsumever persons wha wald clayme the benefite of this Pacement, to be in our Soverayne Lords favor, to have his pardon to be grantit unto thayme, sall acknowledge and profes the religioun now publiklie preachit and professit within this realme, establist be lawis and actis of Parliament, the first year of our Soverayne Lords Reygne, and sall to the uttermoste of thair powers menteyne and assist the preachors and professors thareof aganis all the gaynestanders of the same, of whatsumever natioun estait or degrie thay be, that hes assistit, or dois assist, to set fordwart the decreis of the counsall of Trent, (callit the League) maid aganis the preachors and professors of the evangell.

Item, that the Erle of Huntlie and Lord John Hammiltoun, fer thaymeselfis and uthers thair dependers, now submitting thayme

to the Kings obedience, and acknowlegeing the gouvernement of James Erle of Mortoun now Regent, or any uther Regents to be laughfullie callit during his hienes minoritie, for thayme selfis, thair airis and successors presentlie and all tyme cuming, sall recognosce his hienes auctoritie and regement foirsaid, and sall acknaulege thayme to be his laughfull subjects, be aythis and subscriptions.

Item, thay grant and confes that all things done, assistit unto be thayme in nayme of any uther auctoritie nor the Kings sen his coronatioun, aganis any that professit his Majesties obedience for the tyme, hes bene unlaughfull, and is of na strenth, force nor effect, and sall have na executioun for any tyme bygane or to cum.

Item, that it salbe statute and ordanit be an act of Parliament, that na subject of this realme sall any way be thayme selfis assist, fortiefie, supplie and shaw favor to any of the subjects of this realme, or strayngers, wha sall prevelie or opinlie practese any treasonable fact aganis the religion foirsaid, the royall auctoritie and person of our soverayne Lord, and this present Regent, in tyme cuming, under the payne of law; and wha dois in the contrar, and resistis not to the attemptatis that salhappin to be committit aganis laughfull auctoritie to the uttermoste of thare powar, that the remissions and pardons presentlie grantit, or to be grantit, salbe of na avail, and the benefite of the paceficioun sall not serve, nor be extendit to thair favor heirefter.

Item, that all persons dispossessed during the trublis, salbe presentlie repossessed to thair howsas, rents, benefecis, landis, taks and cornes, as also to all guddis movable, (except horsis and armure;) and for execution heirof, the Kings letters sall be directit aganis the deteners, to restore the awners within sax houres efter the charge, under the payne of treason.

Item, that the castell of Spynie be randrit to the Regent within fyftene dayis efter it be requyrit.

Item, that the Maister of Forbes, James Glen of Bar, with his sone, and all uthers preasoners, being now in the possession of Adame Gordon brother to my Lord Huntlie, be presentlie with all possible diligence, efter the publication of this present pacificatioun, set at libertie; and that the Lord Sempillis band, and all uther bands for entrie of preasoners, and bands or promeissis for payment of ransoms, in any tyme bygayne preceeding the dait heirof, be frelie dischargeit be vertew of this present pacificatioun.

Item, it is concludit, that the Erle of Montrose, the Lord Glamis, and Sir Johne Wishart of Pettarro knyght, conjunctlie salbe jugeis for restitutioun of all guddis reft or spulyeit be vertew of thir trublis, benorth the water of Forth, and that according to the simple avall, provyding it be cravit within yeir and day efter the publicatioun of thir articles of pacificatioun; and that the lyk maters on the south syd of Forth be jugeit be the Lord Boyd, Marc Commendatar of Newbotle, and the Justice-Clerk; and that na uther jugeis sall have powar to cognosce in thais maters:

And in cais it salhappin that thir nominat jugeis will not accept of this office, that uthers salbe chosin and electit in thair places.

Item, that the Erle of Huntlie and Lord Johne Hammiltoun, sall presentlie discharge thair soldiours, that ilk man may retorne to his awin dwelling peaceablie, and without impediment. And for the better assurance of the persons now returnyng to our Soverayne Lords obedience, and for observation of the conditions abone specefeit, pledges hes bene requyrit of thayme; as alsua cautioners and soverteis to be bund with thaymeselfis, for thair dewtefull obedience in tyme cuming. The saidis Erle of Huntlie and Lord John Hammiltoun, hes at the sute and request of the Queyne of Inglands ambassador foirsaid, referrit thaymeselfis in the will and discretioun of the Regent for the entrie and delyverance of the saidis pledges, under sik paynis as the Regent sall reasonable prescryve.

In respect of the whilk conditions aggreit unto, and of the suretie to be maid for performyng thareof, it is accordit for the suretie of the saidis persons, upon weghtie and gude consideration tending to the establisshing of peax, quyetes and universall obedience of his Hienes auctoritie, and for dew obedience and service to be maid be thayme in tyme cuming; be act of Parliament it salbe declarit and decernit, that the sentences, past be doome of forfalter in Parliament, as any uther sentence past before the Justice-generall and his deputtis at particular dyets and Justice-Courtis, and all that his followit or may follow tharupon, whilk hes bene deducit and led aganis the said George Erle of

Huntlie, Lord Johne Hammiltoun, Abbot of Arbrothe, Lord Claud Hammilton his brother, now commendatar of Paislay, William bishop of Aberdene, Alexander bishop of Galloway, Sir Adam Gordoun of Achindoun knycht, Sir Andro Hammiltoun of Goslyntoun knycht, John Hammiltoun of Stanehou, Alexander Hammiltoun of Innerwick, George Barclay of that ilk, James Hammiltoun of Ruchbank, James Hammiltoun in Wodhall, Johne Hammiltoun of Drumry, Gawin Hammiltoun of Roploch, Robert Hammiltoun of Gayren, Johne Hammiltoun his brother Robert Hammiltoun, younger of Deserf, Mr Archibald his brother, Mr James Hammiltoun of Neytisland, Andro Hammiltoun of Lekprevik, Andro Hammiltoun of Netherfeyld, Johne Hammiltoun of Cowitcote, Arthur Hammiltoun of Myrretoun, David Hammiltoun of Monkton Maynis, James Hammiltoun of Kincavill, Mongo Hammiltoun of Pardoven, James Hammiltoun in Burnebray, Archebald and Andro Hammiltouns sounes to umquhile Andro Hammiltoun of Cotehewch, Thomas Hammiltoun of Preistisfield, James Hammiltoun of Prestoun, James Mureheyd of Lachop, Alexander Baillie of Littilgill, William Baillie of Cormestoun, James Glen of the Bar, William Glen his sone, or any of the saidis persons, before the Justice or his deputtis, or be the Regent or Lords of Secret Counsall, for any crymes done contrare the King or his auctoritie, sen the fyftene day of Junij in the yeir of God a thousand fyve hundreth threscore sevin, or for any uther crymes or causes contenit in the sunmonds of treason, sentences and domes

foirsaidis, led aganis thayme sen the said fyftene day, sall have na executioun, bot salbe of na availl, strenth nor effect in all tyme cuming, without any uther declaratioun to follow tharupon; and this present article to extend to all uther persons forefaltit properlie comprehendit under this paceficioun; that they sall have also the Kings licence and favor to reduce thair forfaltors, upon sic cawsis and considerations as thay may lybell.

Item, be act of Parliament it salbe declarit, that all persons wha before be acts or decreits of Previe Counsall or Sessioun, for crymes committit in the said common caus or barratrie, sen the fyftene day of Junij 1567, hes bene dispossesed of thair lands or heretages, pensions of benefecis, heretable offecis, honors, takkis, stedingis, possession of lands or teyndis whatsumever, salbe restorit effectuellie to thair possessions tharof, that thay may injoy the same als frelie as they did at any tyme heirtofore, and as geve the trublis bypast had never hapnit, notwithstanding of any sentence or dome of forfaltour, past ather in Parliament or before the Justice or his deputs, at any peculiar tymes, or for any penalteis that might have followit tharupon, proceiding upon the said common caus. And to the end that ilk man may be repossesed to his hons, the Kings letters salbe directit in his favors aganis the detenar, to reposses the just awner within sax dayis, under the payne of treason; and that ilk person craving the benefite of this paceficioun, sall first find caution, and subscriye his obedience to the King and his auctoritie royall, and then letters in the foure

formes salbe summarlie direct in his favors, to invest him in all his rents agayne.

Item, as touching that article requyring, that an act sall pas in the Parliament, declaring the saidis persons to be frelie remittit and dischargeit for all attemptats, crymes, treasons, transgressions or offences, for whatsumever caus, sen the 15 day of Junii 1567, aganis all persons thair adversers, and professing another auctoritie for the tyme, (incest, wichecraft and thift exceptit;) the same article is agreit unto, saving that the same sall not extend to the murderers of umquhile the Erle of Murray and the Erle of Lennox Regents for the tyme, whilks ar matters of sik weght and importance, as the Regent can not convenientlie of him self remit thayme. Bot in respect of the necessitie of this present pacificatioun, it is accordit, that geve the mater of remissions be movit be the committers tharof to the Queyne of Ingland, that whatsoever she sall counsall in that matter, the Regent promiseis to performe the same in Scotland, be an act of Parliament; the whilk being subscrivit be the clerk of Register, salbe als gude and sufficient to the saidis persons and ilkane of thayme, as give remission war past to thayme in speciall under the great seall, or thay sall have the same remission in dew forme under the great seall, as best sall pleas thayme: And geve any of thayme desyris remissioun for any cryme preceeding the said 15 day of Junij 1567, the same salbe grantit to thayme, the persons and crymes being notefeit, the murder of the King our Soverayne Lords father, and all uther

murthers, fyre-raising, thift, reset of thift, incest and witchecraft, onlie exceptit.

Item, all ceville decreis past during the trublis sen the said 15 day of Junij 1567, wharewith the saidis persons, or any of thayme, findis thaymeselfis grevit or injurit, salbe relevit be the Jugeis ordinairs, gevers and pronouncers of the decreits ; and the parteis, upon thair supplications, salbe hard to propone any laughfull defence that they might have usit the tyme of the deductioun of the proces : Provyding thay intend thair preceptis and supplications for that caus, within sax months efter the dait heirof.

Item, as for the fructis or movable guds, ather pertening to the King or his subjects, tayne fra persons professing his obedience sen the 15 day of Junij 1567, preceeding the penult day of Julij last bypast, aganis the partie with whome thay then stude in controversie and debait ; becaus the mater is of sik weght and importance, it is accordit, that the same being movit to the Queyne of Ingland, that howsoever she shall devyse and give counsall thareanent, the Regent sall performe, fulfill and observe the same with consent of Parliament.

The rents, few-fermes and maillis of the landis of Pendreich, and the thrid of the benefice of Duffus in Murray, being a part of our Soverayne Lords propertie intronettit with and uptakin be my Lord Huntlie, or any in his nayme, in tyme bygane, is be this pacificatioun frelie remittit and dischargeit : And as tuiching the rents of the thrids of benefices, commoun kirkis and freir lands, lykwayis intronettit with be the said Erle of Huntlie and Lord



Johne Hammiltoun, or any in thair naymes in tyme bygane, the Regent sall mak suit to the kirk, at the general assemblie thareof, to procure a remit of the rents sik as may be had, declaratioun being first maid be the said Erle and Lord Johne, what is intro-mettit with and tayne up in thair naymes.

Item, that all men comprehendit under this paceficioun, efter the publicatioun tharof, be indifferentlie ressavit and embracit as the remanent of our Soverayne Lordis lieges, over all partis of this realme ; and that na thing done, or that hes occurrit during the trubles in the said common caus, or any thing depending thareupon, be comptit as deidlie feid in jugement, or be any acceptatioun aganis Juge, partie, witnessis or utherways.

Item, that the airis and successors of persons forefaltit, properlie comprehendit under this paceficioun, and now departit this lyff, salbe restorit and maid laughfull to enter be brevis to thair lands and possessions, notwithstanding of the forfalter led aganis thair fathers or predecessors, and as geve thay had deit at our Soverayne Lords fayth and peax ; and speciallie of umquhile Johne Archbishop of Sanctandrois, Gawin Commendatar of Kylwynning, Andro Hammiltoun of Cochno, Johne Hammiltone his sone and Capten James Cullayne.

Item, that the captens of men of weare under writtin, with the members of thair cumpaneis, salbe comprehendit in this present paceficioun, as also all the soldiors wha servit under thair chargeis, for deidis of hostelitie and crymes committit during the trublis, and before the last day of Julij last bypast ; thais ar to

say, Capten James Bruce, Johne Hammiltoun of Kilbowy his lieutenant, Johne Robesoun in Braydwodside, his andsenyé, Capten Thomas Ker, James Arbuthnot his lieutenant, Corporall Jammet his andsenyé, Robert Crawford and James Oliphant.

Whilk haill articlis and conditions of this present paceficioun, accordit unto in maner abone specifeit, the Kings Commissioners and also the uther noblemen abone writtin, solemnitie promiseis and swearis the trew intentioun, faythfull performance and observatioun of the same in tyme cuming, in presens of the Queyne of Inglands ambassador. In fayth and witnessing whareof, thay have subscrivit this paceficioun with thair hands, and his Hienes Commissioners hes delyverit to the said Erle of Huntlie and Lord Johne Hammiltoun Commendatar of Arbrothe, thair remissions under the Kings great seall; and the said Lord Johne promiseis of his honor, that Lord Clawd Hammiltoun his brother sall also approve and subscribe the articlis and conditions heirof in all poynts. Subscrivit, Argyle, Huntlie, Montros, Arbrothe, Ruthven, R. Boyd, R. Dunfermling, Bellenden."

In the meyne tyme, Sir Adame Gordoun, Lieutenant in the north, hering that my Lord Lovat, the Master of Forbes, and Malcolm Toshe, war assemblit at Aberdene with some forces, he assalyeit thame in the nyght. The scarmish was great on both sydis, dyvers slayne, sindrie hurt, and many preasoners tayne, and among the rest, the Lieutennent himself was hurt.

And the Regent according to his promiseis reparit to Abirdour,

whare the Erle of Huntlie met him, and thair he assentit to all the articlis foirsaidis, and withall desyrit earnestlie of my Lord Huntlie, that he sould repayre hayme to stay his brother from forder hostelitie; he directit also dyvers of his letters to the Nobilitie of Scotland, to convene in Edinburgh the 15 day of March following.

1573. And becaus the ambassador of England, wha was present at the reasoning and conclusion of this foirsaid paceficioun, had persavit the Lords of the Queynis factioun inclynit to peax, he thocht also that the capten of Edinburgh castell, with the Lord Home and Secretarie Lethingtoun, wald willinglie condescend: bot the contrar opinion was in thair heiddis; for, when he came thither, and shew unto thayme in writ all the articlis that war condescendit unto, and desyrit thame to subscriue and allow of the same for thair partis, thay refusit simpliciter, unles thay had laser to obtene the favor of the King of France and of the Queyne of Scotland to that purpois. The ambassador, efter this answer, returnit to the Regent, and thay consultit together for a suddan remeid; and that was, that he might obtene the gude will of the Queyne of England to send him an armie with all thair provisioun for assegeing of the castell; and this was grantit and performit with sik speid and ordor, that first the pioners were sent to Leyth upon the first day of Aprile to forme some gabions. When the capten got knaulege of this, he sent to the Regent desyring abstinence whill the nynt day of that moneth; and in the meyne tyme, the

Erle of Rothies and Robert Lord Boyd travellit and reasonit lang with thayme to yeild for thair awin weillfayre, becaus thay assurit thayme that thair was an armie of Ingland preparit to assaile thayme when thay sould have no tyme of repentente. Bot thay on the uther part war sa mistrustie that sik preparation sould be performit, as thay would not geve eare to any daynger that might ensue thareby, and gave thair absolute ansuer, that unles thay could obtene the grant of thair articles gevin in the 27 of August last, thay wald not condescend to the paceficioun.

To the appointit convention came the Erle of Atholl upon the saxt day, wha during all thais trublis shew him self sa indifferent, that na man could juge whais faction he inclynit maist unto.

Within tua dayes efter came a hundreth pioners out of Ingland, to brek and prepayre the grund for placing of cannons; and to the effect, that thair remayning sould not be of the Queyne of Inglands expensis, thay war placit as the Regents soldiours war afore, in the housis of certayne nychtbouris of Edinburgh wha favorit the Queyne, albeit this was done expres aganis the nature of the abstinnence and pacificioun alreddie concludit. Sum cannons war also brought be water from the castell of Sterling to Leyth, for batterie of Edinburgh castell. Upon the ellevint day the pioneris, be advyce of thair commanders, began to cast thair trenches at sik apperant partis about the castell whar thay thocht to annoy the hous; and the Erle of Atholl, persaving the people of the castell sa obstinat from all reason and peax, he departit from Edinburgh; and wald na langer attend on the conventioun; bot as the pioners had

trenchit on the castell hill, and had erectit a braid sence to hyde thame, the soldiers of the castell came furth, thay set the sence on fyre, and slew dyvers of the pioners in the trenchis.

After this entrit the Marshall of Berwick in Scotland, with the rest of his armie be land; and their provision of gunnis, bullets, and poulder be sea. In his armie be land, he had fyve hundredth hagbutters, and sevin score pickmen. The Regent before hand had directit young Douglas of Kilspyndie, Johne Curyngarne, some to the Erle of Glencarne, the Master of Ruthven, and Johne Sempall some to my Lord Sempall, to enter in Ingland as plodgers for the army and gunnis, unto the tyme of thair returne.

The armie of Ingland entrit to thair trenches the 25 of Aprile. The haill number of their guns war these; a common royall, foure single cannons, nyne gross culverings, four pot peeces, and a Scottish cannon that had bene won at the battell of Flodden, with fyve uther smaller peeces, whilk they convoyit all in the nyght, in the moneth of Maij to thair trenches: during all the quhilk tyme, thais of the castell did nather persew thayme with men or shot. Bot in the meyne tyme a baner, of reid cullor, denonceing weare and defiance, was set upon the cheif towre of the castell, callit King Davids towre.

And the Regent, according to the actis of Paccification, held a Parliament in Edinburgh, at the whilk Duc Hamilton, his sones, and thair famelie and dependers, with the rest whais naymes are writtin before, war restorit to thair rowmes, rents, honors, possessions, benefecis, and pensionis. Bot how lang this indurit, I am

sorie to rehearse ; for the Regent brak to thāyme without any just caus that mycht be knawin at any tyme, as ye sall heir in the awin place ; and on the uther pairt, all thais of the castell war forefaltit in respect of thair obstinacie.

And forder, the Inglish armie began thair batterie on Trinitie Sondag, at tua houres efternone, whilk was the 17 day of Maij, 1573, and shot perpetuallie at all the circuit thareof, and thus continewit till eight houres in the nycht. In the meyne tyme, sum hagbuts war shot furth of the castell, that hurt and slew dyvers Inglishmen ; and the batterie indurit to the 22 day of the said moneth, that thre quarters of the great towre callit King Davids towre fell down, and the haille towre of the portculeis, with sum portions of the forewall, and a great quantitie of the bak wall that lyes to the south and south west, for scailling with ledders for thare easie entrie ; and on the 26 day thay assailyeit the castell on the east syde, whilk was easilie win ; bot thais that scaillit on the wast syde thay war repulsit fra sevin howres in the mornyng till ten houris. Mr Drwrie the Marshall then tuik trewis, and the Capten consentit, and the Regent was dissassented. Bot on the nixt day, the twa captens talkit together, and the capten of the castell desyrit as afore the petitions to be grantit, ather be the Regent, or be the Queyne of Inglands promise. Drwrie shew this to the Regent ; bot he wald nather condescend thareunto be himself, nather wald he suffer any adverteisment be sent to Ingland ; and thus the trewis continewit all the nixt day.

During the whilk tyme thay consultit within the castell what was best to be done. Bot thay war devydit in tua myndis and drew

to factions : The a partie desyrit to hald, and the uther partie desyrit to geve over ; and the Capten indeid was the cheif of thais that wald have haldin, bot the number of thayme that war of his opinion was sa small and waik, that he thoght himself in an evill cace. The cheif cawsis heirof war twa : The ane was a number of politic headdis within the hous, wha had withdrawin the strangar partie upon thair opinions to rander, and maid not the Capten previe. The uther was, that the number of soldiors, in whome the Capten cheifie trustit, war for the maist part, ather slayne or lamit : and as for thais wha war alyve, thay war indeid of an evill constitutioun of body ; first, becaus thay wantit the prevelege of fresh water for a lang season ; and nixt, becaus thay had na uther kynd of drink to satisfie thair thirst, bot ather the strangest wynes or the rayne water, be the whilkis, as also be the eating of salt meates, thair bodeis grew unable. The Capten finding himself thus destitute, was resolvit to rander himself to the Queyne of Inglands mercie, and to the will of hir Lieutenant, bot na way to the Regent : and so upon the 29 day of Maij, the Capten came over the fallin wark, and randrit himself to the Marshall of Berwick. The rest of the noble men and noble wemen war broght furth and placit in the Marshalls logeing, and tharefter transportit to Leyth : and albeit the soldiors war conditionat to cum furth with bag and baggage, thay war notwithstanding spulyeit at thair furthcuming be the Scottish men, but durst not playnt for all that. And all the graith and gudis pertening to the noblemen was randrit unto them and to thair servands be the Marshall, without diminutioun. Tharefter Secretarie Lethingtoun departit this lyfe, suddanlie of

an auld disease of the impotence of his leggis. The adverteisment of this randring was quicklie sent to the Queyne of Ingland ; bot she sent worde back, and commandit all the preasoners to be restorit to the Regent, to do with thayme as he sould think maist expedient. Then he seperatit the Lord Home, his auldemie, from the rest, and pat him captive in the castell of Edinburgh, wharin immediatlie he became seik ; and being transportit to his awin lugeing the seikness daylie inressit, till at last, upon the 3 day of September, he departit this lyff. The Bishop of Dunkeld was empreasonit in the castell of Blacknes, and my Lord of Coldinghame in the castell of Callendar. Tharefter the Inglish armie returnit hayme be land, sa mony as war left alyve ; the canons war transportit be sea ; and the Scottis pledges war demittit to returne to thair freynds agayne.

Then the Regent placit a brother of his, callit George Douglas of Parkheid, to be capten of the castell of Edinburgh, and causit maissions begin to red the bruisit wallis, and repayrit the forewark to the forme of a bulwark, plat and brayd abone, for the ressett and rynnning of many cannons.

The rest of the preasoneris wha war in the castell, viz. the capten, Sir James Kirkaldie his brother, James Mosman, and James Cockie, goldsmithis of Edinburgh, war hangit upon the 3 day of August, and thair heiddis placit upon the maist erainent places of the castell wall.

In end, what be contractit peax, and what be puneishment, the Captens and soldiers of bayth sydis war cassin lowse ; and be reason



the wearis inressit in Swadin and in Flanders, and ather of these standing in neid of soldiors, thay directit thair messingers in Scotland ; and as the Captens war inclynit toward the cuntreis, sa thay tuik thair vayage. And indeid thais that went to Swadin behavit thayme selfis sinistrouslie ; for whereas thay war sent for be the a brother to serve aganis the uther, thay delt with the eldest brother, wha was the laughfull King and keapit captive ; and this pat the usurpit King in sik a furie, that he causit the greatest part of thayme to be destroyit be the sworde ; and nayne escapit bot verie few, and thais sik as weill knew the cuntrie, and hid thayme selfis in secret places till the great rage was overblawin. Uthers past in Flanders, wha behavit thayme selfis valiantlie aganis the King of Spaynis Lieutenents thair.

And becaus the Border men of Scotland, during this civile dissensioun, had bein insolent, and had maid frequent incursions in Ingland, where thay obtenit great spulyie, the Queyne of Ingland directit Sir Johnne Foster, Lord Warden of the Middle Marches, to the Regent, desyring him to mak sum incursions aganis them of Scotland syde, and she sould hald hand upoun hir syde, that thay sould not escape but capteritie or puneishment : And this his petition was baith grantit and performit with great diligence ; sa that the borderers, knowing of na refuge, war compellit to send ostages to the Regent for satisfacioun of thair bygane offences, and for promeis of keeping gude ordour in tyme cuming, for the mutuall peax of hayth the cuntries.

When the Regent was returnit from the Borders, and had ap-

perantlie pacefeit all maters thair, as thay war amang the Nobles, and that all debaits ceissit and maid an end, he bent his mind upon twa purposes; the ane was to administrat justice to all men, and to puneis the trespassor rather be his guds then be death; the uther was, to heap up a great treasor, however it mycht be obtenit. Under the cullor of the first, he prosperit in effect verie weill; and as to the uther, he had greater luck then any thrie Kings had before him in sa short a space. For not onlie he collectit all the Kings rentis to his awin proffet, but also controllit the young Kings famelie, in sik sort as thay war content of sik a small pensioun as he pleasit to appoynt. Secondlie, when any benefeces of kirk vaikit, he keapit the proffet of thair rents sa lang in his awin hand, till he was urgit be the kirk to mak donatioun tharof, and that was not gevin but proffet for all that. And becaus the wairds and mariages war also accidentall maters of the crowne, and fell frequentlie in thais dayis, as commonlie thay do, he obtenit als great proffet of ilk ane of thayme as thay war of availl; and as to the gudis of thais wha war any way disobedient to the lawis, and that the same fell in the Kings hand, the parteis offenders escapit not bot payment in the heighest degrie. And to this effect he had certayne interpretors and componetors, wha componit with all parteis according to his awin directioun; and he so appoyntit with thame for the payment, that it sould ather be maid in fyne gold or fyne sylver.

I rehearsit afore the invy that he procurit of the nyctbors of Edinburgh, and that was becaus nather the abstinence nor this last

pacificatioun was observit unto thais inhabitants that favorit the Queyne ; sa also at this tyme of apperant generall peax, the nyctbors of Edinburgh wha had servit in Leith, delatit to the Regent a great catalogue of thayme wha servit in Edinburgh, and requeistit him to puneis thayme in thair guds be the law, to the end that the ane half of the composition sould redound to the commoditie of thais nyctbors wha had thair logeings demoleist in tyme of trublis ; and indeid, efter that a great part of thayme war convict be the law, the Regent convertit all the compositioun to his awin use, and wald geve na thing bak agayne ; and thus the invyous nyctbors desistit to persew aganis the rest.

The Ministers also, for thair part, cawsit thais same persons mak satisfacioun to thayme in presens of the haill people ; first standing bayre heidit at the kirk dur cled in sackclothe ; then thay war placit in that part of the kirk appoyntit for publik repentance, as penitenciers ; althocht that nather had thay declynit from the estableist religioun in any poynt, or associat thair cawsis with the Papists, bot onlie for the hatred that thay all bure aganis the Queyne ; and the fault of thir people being only civile aganis the King, and the same was sa remittit be the paceficioun, that the Regent tuik lairge compositions for the same.

The Erle of Argyle, Chancellor, departit this lyff in the moneth of September ; and in the nixth moneth my Lord Glamis was electit in his place ; bot upoun the 17 day of Marche, in the year 1577, he was accidentallie shot in Stirling throw the heid ; bot be whome it is uncertayne. For the Erle of Crawford being then

in Sterling, and unreconcalit with the Lord Chancellor, for suld bludeshed betuix thais tua houssis, it fortunit that thair cumpaneis met in a brayd streit in Sterling, and thair servands in pryde strave for the best part tharof: At last ane was slayne, and another hurt, sa that in the scattering of the parteis be the fray of the shots of pistols, the Chancellor was espyit out of a heigh wyndo be sum evill willer, and was thair in sight of the haill people sa deidlie hurt, that immediatlle he fell to the grund.

As the Regent had many shiftis to multiplie his treasor, sa was thair ane unrehearsit as yit, and that was the halding of Justice Courtis, callit now vulgarlie Justice Ayris. He began in Jedburgh; nixt he past to Hadingtoun, and sa consequentlie to the haill capittall townes of the cuntrie. And at his being in Jedburgh, it chancit that sum men adverteist him of blak Johne Ormestoun; and the Regent directit owt Sir Johne Carmichell to tak him. At the first meeting thay grippit togither, and Sir Johne was sa straitlie handlit be the uther, that he was put on his bak perforce, and wuld thair instantlie have bene slayne geve sum of his men had not spedellie have cam in to his releif; and thus Ormestoun was captive and careit to Edinburgh, whare he was condemnit for knowlege of the King's murther, and that was upon the 14 day of December; and he then confest that James Erle Bothwell shew him a letter subscrivit be the Erle of Argyle, the Erle of Huntlie, the Secretaris, and Sir James Balfoure, for thair assistance to that purpose.

Another of the Regentis shifts was, the punishment of people

wha contravenit the law of eating of flesh in tyme of lent : As alsua he maid lawis, that na marchand sould bring wynis from France without his licence. Bot how dere coft war these licences to the merchands, I report me to thair pursis. As alsua licences grantit for transporting of cornes war disponit as the rest. And becaus he understood that my Lord Murrayis wyff had a jowell of Queyne Mareis, he compellit hir be law to rander the same to him.

Be thais pacefications in Scotland, the Queynis partie grew still waiker, and the counsall of Ingland had still less thoght of hir de-lyverie, bot keapit hir the surer. And becaus hir orator, Johne Bishop of Ross, spak sumthing frelie of hir hard handling, and was still dealing with forayne ambassadors thair, to work for hir, the counsall of Ingland sa stormit at the mater, that he was layd hands upon, and put in preason within the towre of Londoun, wharin he remanit a lang space, till it pleasit thayme be importunat sute to let him at libertie [in the moneth of December, and so he repairit to France.] Sa that be this and all other evidences spokin of before, thay thocht still mair convenient for thair commonweill to retene hir within thair dominions, bayth as a fugitive from her awin heritable kingdome, as also an apperant ayre to thair awin.

1574. In the moneth of Julij of the nixt yeir, George Erle of Huntlie, as he was cum to Edinburgh for his effairis in law, the Regent causit him to pas and remayne in the province of Gallo-way, in frie ward, during his will ; and, in that meyntyme, the

Regent exposit Jairden of Apilgirth for his slaughter. Bot howsone the knyght of Lochinvar gat intelligence thareof, he causit his freyndis in great nomber mak gude attendance on the Erle, to saif him from daynger, and the Regent seing he could not get him destroyit that way, he grantit him a relaxatioun in November.

In the moneth of Januar, according to the New calcul 1575, 1575. the noble Prince Duik Hamiltoun departit this lyff, in his pallice of Hamiltoun, upoun the 22 day of that moneth. He was sum tyme Governor of Scotland, during the minoritie of Queyne Marie, and that alsweill for his awin worthenes as for the consanguinitie to the Prence; he was greatlie honorit bayth in France and Scotland; he was a Prince sa debonaire as any uther in all respects, weill belovit of all the people of Scotland, and naymelie of the pure. He had great respect to his freyndis and kynisfolks, whareby he purchest thair favor in the heighest forme.

As the Regent was partiall in some formes of justice, as ye may collect be narratives afore tauld, sa was he generall in uthers. As for example, albeit he dealt partiallie aganis the peax with the inhabiteurs of Edinburgh, and puneist thair pursis besyd gude equitie, sa was he now indifferent under the cullor of law; for sum of the chosin marchands of wealth, that war in Edinburgh, he compellit thayme to be entrit in preasoun upon thair awin exorbitant expensis, for allegeit transporting of gold and silver furth of the cuntrie contrar the actis of Parliament, to the end he mycht also be annoynted with sum superplus of thair gold. And to the

effect the haill gude gold and fyne money of Scotland sould be broght in to his hands, he reassavit na kynd of payment of the Kings rents of benefices that vaikit in his hands, and of all the princes casualities that fell unto him be his regement, saif onlie of the best and fynest gold and sylver ; and as to the layit money prentit at his awin command before he was Regent, albeit the Kings armes war prentit on the ane syde, yit a monument of his awin armes was on the uther, extant in the myds of the croce, a starne ; and as to the uther of inferior sort he causit thayme be stampit with the mark of a hart : And mair then all that, becaus the reparing of the castell of Edinburgh was sumthing expensive, he cawsit all the warkmen to be payit with that base money ; as also he causit the master maisson set on the monument of his armes upoun the new biggit port of the castell, above the lyon of Scotland, as yit extant to this day, behauld wha so list, The starne and the hart. And as this base money in the greatest quantitie was onlie in the hands of the pure, and that na uther bodie was interest be douncrying of thair ancient pryces, bot thay onlie, thay outcrysit sa outkysly aganis the Regent and his counsaillors, with execrations and maledictions, as is odious to reherse.

During the civill wearis, it fortunit a gentilman callit Johnnestoun of Wastraw to be slayne be the Hamiltons : and be reasoun he was one of the Erie of Angus dependers. Lord Johnne Hamilton and Lord Clowd maid satisfactioun for the same at Halyruid house palice to the Erie of Angus, be delyverie of a sword be the paynt, according to an ancient custome.

Thair is a forme of justice usit in the Borders, that the Wardens of Ingland and Scotland do convene monethlie for peax and gude ordor to be keapit. For the east borders of Scotland was appointit Sir John Carmichaell, to convene with Sir John Foster, the contre Warden of Ingland. The Warden of Scotland had maid delyverance of his malefactors upon a certayne day to the Warden of Ingland ; bot when as restitution was in lyk maner cravit, and luikit for on his part, he refusit, and gave answer, that thair was aneuch done for that day. The Warden of Scotland maid instance for all that to be requytit ; bot the Warden of Ingland still driftit, till in end sum of the Scottis cumpany wha war interest hapnit to speik sum injurious words, that so commovit the Warden of Ingland, that he burst out in thais words, saying, That Sir Johnne Carmichaell could be no companion nor equall unto him ; and so the Warden of Scotland ansuerit something rudelie agayne. Whareupon it followit that a number of Inglish bowmen delashit sum arrowis aganis the Scottis cumpany, hurt and slew dyvers of thayme ; and the Scottis, persaving thair cumpany far inferior to Ingland, thay gave bakkis for the first face ; and before thay had fled bot a litill way, thay persavit a number of the inhabitants of Jedburgh cuming unto thayme, with whome the Warden turnit bak, and maid sik a courageous onset on the Inglishmen, that he dispersit thayme, chaissit thame within their awin bordors ; and be the way he slew Sir George Heron, kepar of Riddisdail, and uther 24 persons ; the Warden of Ingland himself was tayne preasoner, with Sir Cudbert Collenwode and dyvers uthers. These preasoners war convoyit



to Jedburgh that nyght, and on the morne to Dalkeyth, and war presentit to the Regent, wha ressavit and embracit thir twa knyghtis with great courtasie, and with sik humanitie as usis to be done unto strayngers, bot not as preasoners, (as thaymeselfis dyvers tymes have confessit) during thair remayning, whilk was bot onlie upoun their awin silence, and uncompellit; for na uther gaird was put to thame then famous and worshipfull gentilmen, to convoy thayme whare thay list: Nather was any promise tayne of thayme for not escaping, as usis to be tayne of preasoners; bot be the contrar it was offrit unto thayme, that when thay pleasit to depart, thay sould be frelie demittit; sa that within few dayis, be thair awin requisitioun, thay war demittit als frelie as thair hartis could wish. Of the Scottis cumpany was slayne the Laird of Mow, with sum uthers. This conflict was done at the Reidswyre, upoun the 3 day of Maij 1575.

Tharefter the Queyne of Ingland complenit to the Regent; and he desyrit that sum Commissioners sould be sent to the bordors to talk of the mater, that the partie maist offendit sould be reparit according to reasoun; and she sent in hir ambassador, Mr Henrie Killegrave in Scotland for that same purpose, and the preasoners were all delyverit unto him. Eftir thair returne to Ingland was sent Sir John Carmichell to offer homage to the Queyne, and she acceptit of him lovinglie, efter the trew report of maters, as of a martiall worthie man, and demittit him bak to his awin cuntrie agayne saiflie, besyd many menis expectation in Scotland.

As the Regents devyce was on the a part aganis Huntlie, as a cheif man of the Queynis factioun, so did he devyce als craftie a stratageme aganis Lord Johne Hammiltoun ; for upoun a day, as he was myndit peceablie to have past towart Arbrothe, his capitall enemeis, to wit, the Erle of Buchan, the Erle of Mortoun that now is, George Dowglas thair brother of Lochleven, George Bishop of Murray, callit the Postulant of Arbrothe, with fyve hundreth horsemen, accompaneit with sum of my Lord Lyndesayis freyndis, having knaulege of his cuming throw thair bounds, thay lay in his way of set purpose to have killit him. And as Lord Johne was cum to a village in the province of Fyff purposing thair to refresh himself, and luiking for na danger in respect of the pacificatioun, be fortoun his men espyit sum gentlemen cled in armure, ryding in the village, and laying about with an evill countenance, thay immediatlie adverteist my Lord ; wha suddenlie horsit himself for saiftie of his lyff, and came furth of the village saiflie with his haill cumpany. Bot he was hetlie persewit and followit ; and in the meyne tyme ane of his cumpany gave him advyce to reteir from the great trowp, accompaneit with any a person sik as he sould pleas to chuse, and draw himself to the refuge of sum fyne hous. His reasoun was gude ; becaus he hoipit that the persewers wald rather follow the great troup, beleving my Lord sould be thair rather than utherwayis ; as it fell out indeid to my Lordis great advantage. For as my Lord was thus escapit, the haill persewers neglectit to follow him, not thinking that he wald commit himself to sik a waik hasart, and thus thay followit

the great troupe; whereby my Lord obtenit sik advantage of the ground, with sum small space of tyme, that he was immediatlie relevit in the hous of a worshipfull gentilman, callit Learmont of Dairsie; wharin he was stranglie resset, and defendit freyndlie and manfullie to the uttermost, to his great releif at that tyme, aganis that furious fraudulent assault. The enemeis, (as I have sayd,) followit the trowp a gude pece of way, and rayd about thayme, comprehending thayme all within the bounds of thair forces of horsemen, and tuik thayme all preasoners; and finding that my Lord was not thair, thay committit thais few preasoners to custodie, and followit my Lord; bot he was housit beforehand, all the entressis forfeit, and the hous mannit in sik sort, that thay could geve na suddan assault, and tharefore war compellit to re-teir with shayme; and this befell upoun the 26 day of Julij 1575. Within few dayes efter, thay convenit agayne of purpose to stop his furthcuming to pas any way. Lord Johne, on the uther part, sent worde to sum of his speciall freynds and favorars to repayre unto him for his supplie. Thither convenit the Erle of Angus and the Regents light horsemen at his speciall command, the Erle of Rothes, the Erle of Erroll, and George Lord Seytoun, with a great nomber of thair freynds. Thither came also a nomber of the gentilmen of Hamiltouns, partlie to conduct my Lord to sik part where it sould pleas him, or els to seik a revenge, as sould be thocht maist expedient. Bot thair meating was stayit be the great instance and intercessioun of the Erle of Rothes, sa that the Douglassis war was separat that day, and my Lord was counsellit to

reteir to Hamiltoun ; and tharefter in effect he came to the Queynis Ferrie, thair to have tayne shipping, as men belevit ; bot he returnit that same nyght with his awin famelie toward Arbrothe. And notwithstanding of this outrage done aganis him, the Regent maid na redres, bot rather within few yeiris tharefter, doublit his malice aganis that famelie, as salbe shortlie declarit ; to the whilk place I remit the redar.

In the moneth of August, certayne persons wha accompaneit the Queyne at Langsyde war summonit to underly the law, to the effect the Regent mycht enjoy sum of thair money, for a particular remissioun to ilk ane of thayme, be reason he could not puneish thair bodeis in respect of the act of Pacificatioun. Tharefter Lord Robert Erle of Orkney was put captive in the castell of Edinburgh : The caus of his empresonement was, for that the Erle had directit a gentilman callit Elpheston with letters to the King of Denmark, whareby he maid him a frie offer of the restitutioun of the Ilis of Orknay in his possession for sik a recompance as they could aggrie upon ; and this was estemit as treason. And the Erle was in great feare to be heighlie puneist for the same, as he deservit indeid ; bot the Regents opinion was, rather to fyne sum weght of gold from him then utherwayis. In end he keapit him sa lang in preason, what for farder tryall in that mater, and what for endles blokking, that the Erle with perpetuall making of offers, and the Regents delaying answeris, to caus him cum heigher in pryce, terrefeit the messinger perpetuallie with the death of his maister, that in this mater thair was sa lang unfructfull tyme

spent, that nather was the trespassor punceit, nor the Regent obtenit any part of his intent.

And before that yeir was endit, he causit a new pece of gold to be imprentit, of the weght of ane ounce, and ordanit to have course in the cuntrie for the availl of twentie pounds money. Sa that this is the sowme of all speciall turnes done in that yeir, saving that the Regent, for ingathering of money, held Justice Courtis in Drumfreis and uther partis, whare he was accompaneit with dyvers nobles of Scotland, and naymelie with Lord Johne Hammiltoun and his brother Lord Clawd. At the whilk tyme many brokin men of the Bordors war punceit be thair pursis rather then be thair lyvis : And many gentilmen of Inghland came thither to behauld the Regents court, whare thair was great provocation maid for rynnning of horsis ; and be chance my Lord Hammiltoun had thair a horse sa weill brydlit and sa spedie, that althocht he was of a meynere stature than uther horsis [great Inghlish geldings,] that essayit thair spede, he overran thayme all a great way upon Solloway sands, whareby he obtenit great prayse bayth of Inghland and Scotland at that tyme.

1576. In the begynning of the nixt yeir, certayne stryfe and debait fell out betuix tua noblemen, to wit, the Erie of Argyle and the Erie of Atholl, tua nobles ; indeid, that of thair awin natures war sa affabill, plawsible and inclynit to peax, as na man could say the contrare. The caus of the debait was this : A wicked man of the cuntrie of Argyle callit Alaster Glass alias Mak Callum, was

tayne in Atholl and convict to be hangit for thift : and the Erle of Argyle requeistit Atholl to pardone the man and to set him at libertie, and he wald promise for the man that he sould not offend in tyme cuming ; and this was grantit upon hoip of amendement. Bot within short tyme tharefter, as many men ar for the moste part unthankfull and unmyndfull of bypast benefetis and perillis, sa was this Alaster ; for in place of thanks for sik a gude turne grantit for his relief, he recompancit the same be an evill turne, for he entrit the cuntrie of Atholl ; whare he brint howsis and slew many people, and broght away a great pray of horsis, nolt, scheip, ky, and gaittis, and careit all saillie to Argyle's cuntrie. The Erle of Atholl sent adverteisment heirof to Argyle, and tharefore desyrit that wicked malefactor to be restorit unto him, that he myght puneish him for his demereits according to justice. This sute Argyle refusit ; and Atholl persaving that, convocat an armie to have entrit in Argyle with fyre and sworde for revenge : The uther also convocat his gentilmen for defence : The report wharof was careit to the Regent, and he commandit thayme to stay and mak na invasioun aganis uther, under the payne of treasoun, till he sould tak cognitioun of the caus, and procure a sythment to be maid to the offendit partie. In the meyne tyme he had consavit in mynd certayne reasons and causis to puneish bayth the parteis, be advyce of sum men of law in Edinburgh ; to the end that be that way he myght withdraw sum money from ayther of thayme for breking of the law of the cuntrie. His intentioun was on this manner : First, he decreitit to caus thayme bayth enter before him, to

answer to sik maters as sould be layd to thair charge under the payne of treason, sa that geve thay obeyit he intendit to commit thayme to preassoun : As also he intendit to have accusit the Erle of Atholl, for the demitting and letting lowse of the fairsaid malefactor wha was tryit of thift, the doing wharof importit a great puneishment be the law : Item, he intendit to have accusit the Erle of Argyle for convocation of the Kings lieges in armure, expres aganis the act of Parliament. Thir intentions war sa particularlie and severallie notefeit to the tua Erlis, be sum freyndlie spyis that thay had in court, that ather of thayme thocht gude to compone the different, and rather to aggrie togither be thayme selfis, then that sik a gredie magistrat as thay estemit him to be, sould ather puneish thair bodeis or gudis be sik cullors as he pretendit. In end thay met togither face to face, and conferrit sa loovinglie ane with another, that be thayme bayth the fraud was taukt that the Regent intendit aganis thayme. Bot the Regent, howsone he gat knowlege of this thair concord, he was sumthing greavit; and tharefter cawsit thayme to be warnit to compeir before him and the Secreit Counsall, to answer *super inquirendis* ; whilk thay disobeyit, whereat he was double greavit. In the end of this year the Erle of Huntlie departit this lyff.

1577. As all Prencis and Governors have the eyis of many people bent towart thayme, sum for feare, sum for reverence, dewtie and love, and uthers for iuvy ; sa it became also of this Regent : For first, for his perpetuall policie and cullor of justice, whareby he

puneist transgressors and uthers saikles, the greatest part of the people fearit him, and consequentlie invyit him : Secondlie, becaus he forgeit many faultis aganis men of ritches and great rents, invy was the mair heapit up aganis him ; whilk was the caus that his death was conspyrit be sum persons, and naymelie be ane Johne Sempill of Beltreis. This gentilman and his spous Ladie Marie Levestoun, had obtenit a portion of fyne ground of Queyne Marie for his awin and his wyffis gude service : This land pertenit to the Croun, and was gevin to thayme and to thair airis heretable for payment of a small dewtie ; and be reason the Regent, as I have tauld you afore, ressavit the compt of the Kings rent, and fand this gudlie portion of land commodious for him self, or rather a new composition of gold or money for satisfacioun of his appetite, he inventit a questioun that the Kings land could not be disponit from the Croun, and therefore that land sould returne to the Prince agayne. This question was movit before the Senators of the College of Justice, and was almaist brocht to this pass, that notwithstanding of the perfyt gift that he had obtenit thareof under the great sele, he was liklie to lose it ; for the Regent himself sat in jugement for this caus as he did for many uthers. And the said Johne persaving this inconvenient, was deliberat to avenge his caus be killing of the Regent ; whareof the Regent gat perfyt intelligence, and when the gentilman was straitlie examinat and confrontit, he confessit the same, and tharefter was tryit be his peares, convict and condemnit to the death. Bot the Regent (for what respects it is uncertayne) relaxit him at that tyme. Thair was



also another gentilman in suspicioun for the lyk fact, callit Johne Whytfurde of Myltoun ; and albeit he was put to extreyne torture, he confessit na thing, and tharefore was demittit to his great paynis.

So the Regent finding his estait to be in doubt, and many nobles of the land to mislyk and contemn him, he was deliberat to resigne his office in the Kings hand. Bot whither he did this upon a playne intencion to denude himself, or upon hypocrecie, his consequent warks sall declair heirefter. Alwayis he reparit to Stirling upon the xij day of September ; and that day efternone, the King being cum to the Counsalhous, it pleasit the Regent to speik on this maner.

“ It will pleas your Majestie, and the Nobilitie heir present, that it is not unknowin to you all, what travell, skayth and damage my predecessors in this office have sustenit ; how that thay have been violentlie murtherit, and that I have sustenit, and am apperantlie to susteyne the lyk : And besyde all this, the dew obedience is refusit, becaus apperantlie your Majestie is to embrace the governement in your awin persone : Rebellion and oppression are the mair lyke to arryse in this realme : And since that so is, and that the waiknes of my body is not able to suffer me to suppress the prowtnes of your Majesties subjects ; and that I persave incres of wisdom to grow daylie in your Majestie, and that ye have (praysit be God) the dewtefull favor of all your subjects at this houre ; I am most willing to demit my charge in your Majesties awin hands presentlie, whilk I beseik you to accept for the releif

of my wearie eage ; as als wa I beseik your honors heir present to hald hand to his Majestie in this purpose."

The King ansuerit, That his youth was not able for that place of governement, and albeit he war so, he knew not to what place he sould mak his resort. The Regent replyt and sayd, That his Majestie wald be weill logeit in the castell of Edinburgh, alsweill for the gude situatioun of the hous, the pleasant sycht of the feildis, and the sycht of the sea, and frequencie of ships. The King sayd, That he wald gladlie condescend to that chaynge, provyding that his present kepers sould have the mentenance of that castell ; and forder that he sould quicklie advyse upon all that purpose, and sould geve him a competent ansuer : Sa that on the morne the Regent returnit to Edinburgh upon this opinion, that the King sould chaynge to Edinburgh rather then to remayne thair ; and for the mair securitie, he had his supposts to subborne the King to his purpose. And that same nycht of the counsall, the maters as thay went war cleirly notefeit to the Erlis of Argyle and Atholl ; and this movit thayme baith, upon the fyftent day, to repayre with diligence to Stirling to salute the Kings Majestie, and to accept the opportunitie that they could have be the Regents offer. And as they war entrit the castell, it fell sa out that the King, of his awin frie motive, declarit unto thayme bayth the motioun that the Regent had maid unto him to demit his office, and askit thayme what thay thocht of the mater ; and thay bayth, without forder advysement, being sufficientlie resolute afore, ansuerit to the King, that in respect he had done sa gude service to his Majestie in tyme

bygane, it was na reason to refuse him of sik a laughfull petitioun ; and therefore willit him with diligence to wryt to sik of the Nobilitie as he thocht expedient, to repayre to his Majestie in haist, and thair to declair unto thayme how willing he was to accept the regement to his awin person, be reason of the Regents demission. And this was indeid sa quicklie performit, that before the Regent could get intelligence, thay war all conspyrit in myndis and body aganis him, and voitit all, that the King sould accept the regement ; and this acceptation was devulgat in Edinburgh to the people be Lyon King of Armes, and his tuelf brether the Heraldis, with great solemnitie, sound of trumpets, and great shot of cannons from the castell, whilk was na gude newis to the Regent : And tharefore at the publication heirof, he comperit personallie at the Mercat croce and protestit, that geve the King sould accept the regement upon him, for the preheminance of any subject of the cuntrie uther then himself, that his demission sould availl na thing ; and this was done in the moneth of Marche of the nixt yeir, 1578.

1578. Then the King directit his Commissioners to the Senat, to inhibit thayme to proceid in any maner of justice, or to geve out lettres in nayme of the Regent, bot in his Majesties awin nayme ; and that fra thyne furth thay sould acknaulege na uther auctoritie bot of his Majestie : Siclyke causit summond the castell of Edinburgh to rander, bot the kepers maid obstacle and intendit to fortefie the same : For upon a day, as they war cum furth at the port of the

toun to have ressavit sum drink and uther veveris, the magistrats stoppit thayme ; at the executioun whareof, sum of the townis folkis war hurt and sum slayne, and amang uthers a learnit gentleman callit Mr Richart Lawson was shot with a deidlie hurt. Bot within few dayis tharefter, the castell was randrit to the person of Campsie, be the Kings awin command, and commission ; and an inventar was tayne of all the prencelie gudis and jowals tharin pertenying to the Kings predecessors, according to an auld inventar. Tharefter the Erle of Atholl was creat Chancellor of Scotland.

In the nixt moneth of Apryle, the Erle of Mortoun began to consider with him self, that he had not done weill of his suddan demissioun ; and tharefor he entysit a factioun of the hous of Mar to cum to the castell of Stirling, with force and slight to transport the King from the hands of Alexander Erskin his ordinar and laughfull kepar, to Lochlevin ; whare he intendit to have keapit him till the end of his yeiris of perfection, or els for all the dayis of his lyf tyme, as he intendit to have keapit his mother afore. And in the meyne tyme he maid his residence thair, as it war for policie, devysing the situation of a fayre gardene with allayis, to remove all suspicion of his consavit treason in that mater. Bot as thay war in executioun of this purpose, it was sumthing narrolie espyit that a speciall gentilman of reputation was murdreist amang thayme callit Erskin, wha defendit stoutlie the Kings dure from thair assault, besyd the hurt of many uthers. To conclude, that thair treasonable interpryse was postponit for that tyme, bot Mortons devyce was not devulgat till efter. For remeid wharof,

it was thocht expedient that the nobles of the land sould be sent for, to advyse upon the stabilitie and quyetnes of the commonweill, quhilk was performit. The Erle of Argyle was directit from court to talk with the Erle of Morton; and thay came together to Stirling, whare Morton was loovinglie ressavit be the King for the first face; and it was then concludit, that noble men sould be chosin to be ordinar of the Kings counsall, wha sould mak thair residence in Edinburgh. Item, That an ordorlie catalogue sould be maid of certayne noble menis naymes; and it was concludit and aggreit upon be all thair consents, that foure of thayme successive lie sould remayne within the castell of Stirling, to attend upon the King for preservation of his person; whilk ordor indeid thay exactlie observit. Bot when the tyme came, as it befell the Erle of Mortoun to attend with the rest of the nobilitie deput to be with him and to remayne within the castell, he not onlie observit that prefixit tyme, bot also mair and langer space, whareby not onlie he intendit to usurp upon a new powar, bot also to debar all uthers of the Nobilitie from acces to the young Prince, his awin factioun onlie exceptit, whilk he had all drawin into the castell prevelie for this intent. And before this his usurping tuik effect, it was concludit in the Convention aforetauld, that a Parliament sould be haldin at Edinburgh in the moneth of Junij; and then ilk man departit hayme, and Mortoun amang the rest. Bot before many dayis war spent, he returnit to Stirling castell with strang hand, and thair he remaynit till the appoyntit day of the Parliament. And albeit that Parliament was fensit at the day in Edinburgh,

Mortoun cawsit the King direct his lettres to the nobilitie convenit in Edinburgh to compeir at Stirling, and the Parliament to be haldin thair; whilk thay all simpliciter refusit, fearing sum partiall dealing in Mortoun, wha then possest the King, as I have tauld. And the Erle of Montrose, the Lord Lyndesay, and the Bishop of Orkney, protestit in the castell of Stirling in presence of the King and few nobles thair convenit, that whatsumevir articles sould be concludit thair, sould be estemit of na availl, force or effect; and that becaus of the absence of the maist part of the Nobles of Scotland. And for this thair protestation, thay war all thré committit to preason within that castell be Mortons command: Bot Montrose escaipit and returnit to Edinburgh, with a previe commission of the Kings, importing, that the Chancellor and the rest of his Majesties new chosin counsallors sould with all speid conduce soldiours, and convocat the liegis, for his releif from Mortons bondage. Bot on the contrar, Morton compellit the King to direct his lettres to Edinburgh, to discharge all convocation under the payne of treason; bot the proclamation thareof was sa weill payit with bastonads, that nayne came efter him for performance of the lyk errand: And the Chancellor, on the uther part, cawsit a proclamatioun to be maid in Edinburgh, declaring sum of Mortons enormiteis, whareof the tenor followis:

“ Forsamekle, as it pleasit the Kingis Majestie, upon the tent day of Marche last, to convene the maist part of the Nobilitie and the Estaits, to tak deliberatioun and advyce in all sik cawsis as concernis the gude rewl, policie and quyetnes of this cuntrie, and

maist speciallie for the reformatioun of sik enormeties and extor-  
tions as war committit universallie in the regement of the Erle  
of Morton, whilks be tyme, throw the manefauld grevis and dis-  
pleasors of the Nobilitie, wald have been convertit to oppin hostile-  
tie and cevile weare, the verie messingers of a lamentable decay  
and ruine to this kyngdome ; wharin of gude providence and fore-  
sight, it pleasit the Kings Majestie, for the deverting and appeas-  
ing of trublis and perturbations appeyring, and to restablishe a  
perfyte love, concord and union amang his hail subjects, to accept  
and ressave the government in his awin persoun, and that upon  
the Erle of Mortons voluntary demissioun of his auctoritie ; cra-  
ving onlie, that in his tender eage and minoritie he mycht be sup-  
pleit be the gude advyce, wisdom and experience of an ordinar  
counsall of the Nobilitie ; whilks being laughfullie chosin and  
sworne of the maist sufficient and maist able for that function,  
thair session and residence was commandit and frelie permittit to  
be at Edinburgh : In the whilk toun, for ministring of justice to  
the complaynts of the people, and ordoring the publik effairis of  
the commonweill, thay abayd, till the Erle of Mortoun, puffit up  
with ambitioun and invy, and impatient of the prosperous rewl  
and generall gude ordor that ensewit upon thair diligent cair and  
vigilant conventioun, be his apostat and subornit instruments, sur-  
prysit in playne hostilitie the Kings hous and person ; injurioslie  
displacit his kepar, and commandit his tryne and famelie, with  
uthers his Majesties servants, violentlie to the durris ; and all un-  
der the pretendit heretable tytill of the yong and innocent Erle of

**Mar**, be the craft and perversst counsall of his unnaturall kynnis-men, addrest to that treasoun : The fearefull and dayngerous report whareof being certefeit to us the Kings chosin counsall, thay resortit at thair possible diligence to Stirling ; and to let all occasions that mycht disturbe the quyet estait of the cuntrie, and to releve the Kings persoun from forder perrell and hazard, thay permittit the keaping and administratioun of the Kings hous to the said Erle of Mar ; trusting throw moderation and lenitie to mitigate all forder attemptats prejudiciall to the Kings Majestie and his realme : Bot obscuring the ancient fidelitie and reputatioun of thair hous, to the great regreat of all gude men, thay persist, being blindit be the detestable and unhappie counsall of thair great oracle the Erle of Morton, wha wald prescryve thayme na stay till he had drawin thayme headlong in extreme dishonor, and maid thayme the miserable instruments of thair awin destructioun. And yit he wald pretend him self innocent, and be his absence excusable of thair sedicious interprysis, geve the progres of his actions sensyne did not prove him to be the very patron and devyser of that odious conspiracie. For, from his admission in counsall, and entres within the Kings howse, wharefra he will not be removable, he has sa far disorderit all things according to his appetite, sa far thrallit and subdewit the Kings Majesteis will and pleasure, that all frie and liberall access, to secret purpose and communicatioun with his Majestie, is utterlie denyit and refusit unto his hienes maist loyall and obedient subjects. He hes be his adherents usurpit aganis the laughfull jurisdiction of the Kings Majesteis chosin





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[REDACTED]

alwayis greavous and damageable, throw the lamentable inconvenients that ensew tharof, We protest before God and men, that we put our selfis in armure, and do prepare our selfis to defend us, with greif and displeasure of our mynds ; and do maist hartlie desyre, that sa great calameteis and misereis as ar lyk to fall out upon this cevile weare, mycht be avertit and pacefeit with our onlie bluiddis, geve it mycht sa pleas God. Bot seing that all our reasonable requeists ar rejectit, and that our adversars will be jugeis in our cawsis, We protest agayne, that our onlie purpose and intent is, to restore the Kings Majestie unto his former libertie, to reduce the government of this realme into his awin powar, and to delyver the kirk of God and commonweill from the tyrannie and oppression of thayme that ever soght, and yit seikis, the lamentable overthrow of all religioun and policie ; having nather regarde to our awin prevat commoditie nor gayne in this caus, nor led be ambitioun, be avarice, nor be any malicious desyre of revenge, as knawis the Lord, whais glorie and trewth we seik, to menteyne the Kingis dignitie and peax, and the tranquillitie of this realme. Tharefore, We the chosin counsallors to his Majestie, and remanent of his hienes nobilitie, heir assemblit at Edinburgh, ordanis, commandis and chargeis officers of armes, to pas to the Mercat croce of all the burrowis of this realme, and thair be oppin proclamatioun in our Soverayne Lords nayme and auctoritie, command and chayrge all and sindrie our Soverayne Lords lieges within the eage of saxtie and saxtene yeris, that thay and everie ane of thayme prepare and address thayme selfis in weirlyk ma-

ner, with fyftene dayis provisioun, to accompany us the saidis chosin counsallers and nobilitie, towart the burgh of Stirling, the tent day of August instant, thair to remayne during the said space, to obtene the Kingis Majesteis libertie and delyverance, under all hiest payne and chayrge that efter may follow, with certification that geve thay failye, thay salbe reput giltie of the Kings thraldome and detention," &c.

And efter the publication heirof, the Chancellor directit commissioners to Sterling, desyring the King to be permittit to repare to the castell of Edinburgh, according to Mortons first proposition, when he demittit his office to the King ; bot this was refusit be an answer sent be William Lord Ruthven : In respect whareof the Chancellor sortit suddanlie furth of Edinburgh with his forces, and came to the Falkirk. The Erle of Morton and his faction sortit from Sterling to the Torwode. The men on ather partie, horsemen and futemen, war arrayit in battell, trumpet, drum, and all uther bellicous instruments sounding, and the parteis approaching fast to uther. Bot be the gréat, frequent and suddan intercession of the ambassador of England, and the Lord Lyndesay, thair meating was stayit at that tyme, besyde many menis expectation : For the forces on the Chancellor syde war great, and of the fynest men in all Scotland, and he was best lykit of the greatest and manyest nobles of the land ; sa that it was generallie thocht that thay sould not have departit the feyld without furious invasion of their enemies, becaus of thair bent willis. Tharefter the King cawsit put certayne articles in forme for their better con-

corde, whareunto bayth the parteis agreit, the tenor wharof followis.

“ First, that all hostelitie sall without delay ceis, and all forces be dissolvit, saving sum bands of horsemen alreddie retenit upoun our chayrgeis, wha salbe onlie employit for the quyetnes of our bordors and uthers our effairis, and not aganis the Lords presentlie convenit at Falkirk, or any of thair adherents in this laft actioun.

And forsamekle as we understand and ar thruchlie persuadit, that the Lords convenit with the Chancellor tuik armes onlie for the tender affectioun that thay bure to us, We allow and acceptis of the same sen the tent day of Junij last bypast, as gude service done.

We will, that the Erle of Argyle sall remayne with our counsall, and within our castell of Sterling, with the lyk number as uther noble men ar logit tharin, saving the Erle of Mar, great Capitan thareof, and that the Erle of Atholl sall have the lyk acces.

We will also, that the Erle of Montrose and the Lord Lyndesay salbe addit to our counsall, and another thrid person to be nominat when we think tyme; and we will forder have uther eight noble men addit to our counsall be advyce of the Queyne of Ingland, that be thair advyce betuix and the first day of Maij nixt to cum, we may tak ordor for reconciliatioun of our nobilitie.

Item, That the present keepers and captens of Edinburgh and Dumbarten castels sall enjoy their offecis to that day.

Item, That the Erle of Angus sall renonce his office of Lieuten-

entrie, and in cace any preasoners, horsis or armure be tayne at this meating, that thay be all restorit."

1579. In the moneth of Aprile in the nixt yeir, the nobles of Scotland convenit to the King at Sterling, with the Lord Chancellor and the Erle of Mortoun, and thair a dissimulat ordor was put to matters : And during thair remayning, the Erle of Mar (wha, as I tauld you afore, was suppost for Mortoun in the conspiracie foir-said) maid the bancat to the haill nomber ; at the whilk tyme, whither be advyce of Mortoun, or be the auld Countes of Mar, it is uncertayne, sik mightie poyson was gevin to the Lord Chancellor, that upon the fourt day efter that bancat, he departit this lyff, to the great displeasure of all the gude subjects of Scotland. He was bureit in the Collegiall cheif kirk of Edinburgh, the 8 day of Julij, with great solemnitie and lamentation. And howsone that Mortoun had obtenit this far victorie, he fearit lest the rest of the Chancellers factioun sould have broght the Hamiltons in court, whome he had sa uncourteslie handlit afore, and that the yong King now cuming to louse libbertie, sould delyte in new faces and new counsall, wha sould have respect to the Queyne of Scotland and hir caus. He thocht gude to prevene occasioun and tyme in this poynt ; and tharefore he sollicite the Erle of Mar and sum uthers of his freyns to suborne the King, that the Lords of the hous of Hamiltoun ar, and hes bene, his pernicious enemeis, wha had slayne tua of his Regents before tyme, and wha had not obtenit pardon as yit for the same : And tharefore, it was conve-

nient for the Kings honor, that thair cheif Lords sould be broght in to justice, to suffer for thair demereits, and this wald be an occasion for the King to be renownit for all his dayis. When this motioun was maid to the King, he not knowing ather what he did or how he did, he willinglie assentit, as it becumis of all effairis of youth for the moste part. Sa that Mortoun, to performe his intentioun newlie consavit, did prevelie conduce sum soldiors; as also, he assemblit a great number of his freyndis for his convoy; and with cannons and uther fensiblie weapons, he addrest him to the way. The cheif in this commissioun was Archebald Erle of Angus; whome Mortoun as a second convoyit to that his devysit tragedie. Lord Johne Hamiltoun and Lord Clawd hering of sik pernicious preparatives led aganis thayme, be verie short advertisement, thay escapit bayth suddanlie and prevelie. Lord Johne past throw all Ingland on fute quyetlie, accompaneit with a servant onlie, and tharefra to France; whare he came to the toune of Paris, and was courteslie ressavit and harboreit be the reverend father James Archebishop of Glasgow, Ambassador for Queyne Marie in France. Lord Clawd lurkit a whyle in Scotland; and tharefter being diligentlie inquyrit upon, he past in Ingland, whare he was resset, first be gentillmen of Northumberland, and last of all be the Queyne. Within few moneths, Lord Johne returnit in Ingland, be permissioun and oversight of the Queyne, wharin he remanit to the yeir of God 1585, that he returnit in Scotland, in sik maner and forme, as ye sall heir in the awin place. The Erle of Angus assaigeit the castell of

Hamiltoun : The kepers randrit thayme selfis in the Kings will ; bot Mortoun causit thayme to be broght bund to Sterling, whare Arthur Hamiltoun of Myrretoun, thair capten, was hangit. The castell of Draffan was also wyn from the Hamiltons. The Dutches of Chattellarault, and Lord James Erle of Arrane, war transportit to the palice of Lithgow, and tharin put captevis under custodie of Capten Lambie, a capitall enemye and a tyran aganis all Hamiltouns. The rest of the gentilmen of Hamiltons war compellit to answer as law wald. They came to Edinburgh, and payit great sowmes of money for pardoun of sik crymes as ather actuallie thay had done, or that could be allegeit aganis thayme. Tharefter the uther tua cheif baneist Lords war summonit to compeir before the King and secret counsall, under the payne of rebelloun : bot as the invasioun was unjust and unlaughfull, ~~sa was~~ this warnyng out of season, when thay war out of the cuntrie ; and for all that ye sall heir mair, how thair saikles eldest brother was also handlit.

In the moneth of Junij, the Queyne of Scotland, to congratulat the libertie of hir sone, and that in respect of hir awin strait keaping, directit ane of hir secretareis in Scotland with lettres to his Majestie, the superscriptioun whareof was in these wordis, " To our looving sone James Prence of Scotland : " He broght with him also certayne jowels and uther ornaments to his bodie : Bot becaus, be the lettres, he was not intitulat King, the counsall for the tyme wald nather suffer the lettres to be opnit, nor the giftis to be ressavit ; and thairfore he was demittit to retorne bak as he came.

I have rehersit dyvers sortis of invy that Mortoun had sustenit afore ; and besydis thayme all, thair was a poeticall malice in hand ; for tua poetis of Edinburgh, remarking sum of his sinisterous dealing, did publeis the same to the people, be a famous libell written aganis him ; and Mortoun hearing of this, causit the men be brought to Stirling, wher they wer convict for sclandring ane of the Kings counsellors, and war thair baith hangit. The names of the men were William Turnbull scoolemaister in Edinburgh, and William Scott notar. Thay war baith weill beloved of the comon people for thair comon offices.

And albeit be this forme of baneishment that was usit aganis the Hamiltouns, and be the incarceration of thair eldest brother, Mortoun estemit himself to leve in securitie from the daynger of any great enemeis in Scotland, it pleasit some wyse foreseing men to considder of the waik estate of the King, destitute of samony noble freynds, what be the violent death of his father, of his grandfather, and the violent death of his chancellor, to call bak in Scotland a gentilman in France, wha was descendit of the auld blude of the noble hous of Lennox, callit Aymie Steward, Seigneur Daubeignie. This motion was communicat to the Queyne of Scotland, and to the Duc of Guyse in France, and was thoght gude. The gentilman gat his instructions in France how to behave himself, and to congratulat the young Kings entrie to his kingdome, in sik sort as he war not to remayne, bot to retorne hayme within short space to his awin native cuntrie of France. And when he was cum in Scotland in the moneth of September, and had arry-



vit at Leith, and was honorablie ressavit be the Magistrats of Edinburgh, he was immediatlie convoyit to Stirling; whare, without any difficultie, he obtenit blyth presence and sik gude countenance of the King, that in short tyme he was sa preferrit in favor with the young King, that he obtenit large revenews, baith spirituall and temporall. And the King tharefter was sa preparit and haistit, that before the end of that moneth, he addrest himself to his capitall toun of Edinburgh, to mak the first entrie to his kyngdome thair, as the first parliament toun of his cuntrie, wher all noblis and prelatis do resort for reverence of the College of Justice that residis ther; in the quhilk he was ressavit with great magnificence on this maner.

At the Wast Port of Edinburgh, he was ressavit be the Magistrats of the toun under a pompous payle of purple velvet. That port presentit unto him the wisdom of Solomon, as it is written in the thrid chapter of the first buik of the Kings: That is to say King Solomon was representit with the tua women that contendit for the young chylde. This done, they presented unto the King, the sworde for the one hand, and the scepter for the uther. And as he maid forder progres within the toun, in the streat that ascendis to the castell, thair is an ancient port, at the whilk hang a curious globe, that opnit artificiallie as the King came by, wharin was a young boy that descendit craftelie, presenting the keyis of the toun to his Majestie, that war all maid of fyne massie sylver; and thais war presentlie ressavit be ane of his honorable counsell at his awin command. During this space, Dame Music and hir

scollars exercesit hir art with great melodie. Then in his dis-  
cenge, as he came fornent the hous of Justice, thair shew thayme  
selfis unto him, foure gallant vertewous ladeyis; to wit, Peax,  
Justice, Plentie, and Policie; and ather of thayme had an orai-  
son to his Majestie. Tharefter, as he came towart the cheif col-  
legiall kirk, thare Dame Religion shew herself, desyring his pre-  
sence, whilk he then obeyit be entring the kirk; whare the cheif  
preacher for that tyme maid a notable exhortation unto him, for  
the embracing of Religion and all hir cardinall vertewis, and of  
all uther morall vertewis. Tharefter, he came furth and maid  
progres to the Mercat Croce, whare he beheld Bacchus with his  
magnifik liberalitie and plentie, distributing of his liquor to all  
passingers and behalders, in sik apperance as was pleasant to see.  
A litill beneth is a mercat place of salt, wharupon was payntit  
the genealogie of the Kings of Scotland, and a number of trum-  
pets sounding melodioslie, and crying with loud voyce, Weal-  
fayre to the King. At the east port was erectit the conjunctioun  
of the planets, as thay war in thair degreis and places the tyme of  
his Majesteis happie nativitie, and the sameivelie representit be  
the assistance of King Ptolomé: And withall, the haill streits war  
spred with flowres; and the forehowsis of the streits, be the whilks  
the King passit, war all hung with magnifik tapestrie, with payntit  
historeis, and with the effegeis of noble men and wemen: And thus  
he past owt of the toun of Edinburgh to his palice of Halyruidhous.

So thir pleasant sightis being endit, a Parliament was haldin in  
Edinburgh, whare the tua cheif Lords of the Hamiltons war for-



aganis all the committers of this fact whilk this day is layd to my charge, I wonder upon what occasion or probabilitie this accusation is now movit aganis me, wha am innocent of the same. Bot to the effect, that na kind of suspicion or evill opinion sould be conceavit on my part, I am presentlie reddie to geve a compt for this and all uther things that may be layd to my charge, ather before the Lords heir present, or before any uther Juge that it sall pleas your Majestie to appoynt." Capten James sitting all this whyle on his kneysis, ansuerit, that not onlie it peteit him to se sik a corruptit member as Mortoun was to be upon his Majesteis previe counsall, bot also he was greavit that thair was another of that same faction and name in the College of Justice, als culpable of this odious cryme of treasoun as Morton was, whais nayme was Mr Archibald Dowglas. Tharefter the parteis war removit, and the counsall presentlie decernit Mortoun to be put in captivitie, to be keapit thair till he war tryit; and directit furth certayne courtours for that tyme prevelie, to apprehend Mr Archibald Dowglas, wha was then resident with his lady at the castle of Morehame. Bot he was premoneist be the diligence of a gentilman callit George Dowglas of Langnodrie younger, sa that he was escapit before that the explorators could attene to the hous, and sa soght his refuge in England.

Morton, upon the thrid day tharefter, was empreasonit in the castell of Edinburgh; wharin he remaynit a few dayis, till he was transportit to the castell of Dumbarten, whilk was then keapit be the new Erle of Lennox, and his deput Sir William Stewart of

Traquair Knycht, whare he was straitlie keapit till the latter end of Maij of the nixt yeir, that he was transportit to Edinburgh ; and upon the first day of Junii, was accusit of dyvers poyntis, and naymelie, that he foreknew King Henreis murther ; whareof he was convict, and condemnit to be beheadit ; whilk was performit upon the second day of Junij, in sik sort that his heid was cut off and affixt upon the maist eminent part of the Tolbuyth of Edinburgh. In this meyne tyme, the Erle of Angus and dyvers of his speciall freyns and assisters war baneist Scotland.

Now have ye hard at lenth alsweill the progres of Mortons lyfe as of his tragicall end, whilk is for the maist part fatall in Scotland to men that ar in heigh degrie ; becaus nather ar the nobles haldin under sik obedience as becumis, nather is thair education sa gude as is convenient for thair birth ; bot ar for the maist part permittit be thair tutors to leve a libertine lyfe in thair yowth, whareby thay becum inconstant and variable in thair eage, and thais be tua great impediments to solide wisdom.

And howsone the Erle of Morton was first accusit, it pleasit the counsall for that tyme to releve Lord Robert Erle of Orkney from captevitie owt of the castell of Edinburgh, notwithstanding of the great caus that he was in suspicion of, as is afore rehearsit : for indeid the said Erle wald have gevin layrge compositions to Morton to have bene fred, and mair nor all that, he offerit his eldest sone in pledge for his relief, to have been mareit to any kynniswoman of Mortons, gratis, without any tocher ; bot nayne of thir tua offeris war acceptit at that tyme.

The Queyne of Ingland persaving the effairis of Scotland to be sa brukle and unstable, she first sent in Mr Randoll hir ambassador, desyring the Erle of Lennox to be expellit from Scotland; and secondlie, the league betuixt Scotland and France to be dissolvit; thridlie, to restore Morton, Angus, and thair freynds, to thair fame and wontit libertie, as also to restore the Hamiltons, conforme to the Act of Pacification; and to conclude, desyrin to gratefie the appoyntment and ancient peax concludit of before betuix Scotland and Ingland. Thir articles being reasonit in the counsall, it was fund that nayne of thayme was worthie of ane answer or acceptatioun, saving onlie the last, whilk was grantit unto, and the rest war refusit simpliciter. Secondlie, she had preparit a number of men convenit at Berwick, and in Northumberland, under the conduct of the Erle of Huntingtoun and the Lord Hunnysdayne, to have entrit Scotland with strang hand, for the releif of Morton, and pacefeing the estait of the cuntrie to thair awin hartis desyre. Bot the King, with advyce of his counsall, and a great confluence of the Nobilitie convenit in Edinburgh, conducit a number of soldiours, horsemen and futemen, in sik number, bravetie, and bent mynds to resist that imminent force of Ingland, that be the adverteisment of the ambassador in his returne, the armie of Ingland scaillit, and came na further for that tyme. And tharefter, to the end the King sould seme to do na thing unadvysitlie in that purpose, he directit Sir John Seytoun, his ambassador towart Ingland, to demand of the Queyne, whether she was myndit to keap the peax or to brek it. Bot when he came to

Berwick, he was detent thair for a season, till the Queyne could send word, and he was admittit na farther; for what respect it was done ye may easilie jage. Tharefter, Captain James Stewart was constitute tutor of Arran.

1581. In the moneth of Marche, Monsieur la Croc was directit ambassador in Scotland from the King of France to desyre the King to work something for his mother Queyne Maries libertie; bot this petition of his being exposit to the counsall, it was thought be the pluralitie of their voittis, to be prejudiciall to the Kings royall estate, and therefore na mair was deliberat in that purpose at na tyme tharefter: and indeed it has not bene the custome of Ingland to let loose any noble gryp that they have had of Scotland, at any tyme heiretofore, without weghtie cawsis, tending alwayis to thair awin profit: as may be collectit be the unlaughfull detention of King James the First of Scotland for the space of eichtene yeris.

During the banishment of Archibald Erie of Angus, efter the beheading of Morton, he maid divers incursions in Scotland; for he entrit with fyre and sworde at the castell of Langholme, and tuik the Capten tharof prisoner, whome he led captive in Ingland. He burnt divers villages pertenying to the Lord Maxwell, and led away great pryse of goods and cattell. Tharefter a parliament was haldin in the moneth of October, wherat the Erie of Angus was forfealtit: Lord Robert Stewart was creat Erie of Orkney; Captain James Stewart was creat Erie of Arran; William

Lord Ruthven was creat Erle of Gowrie ; and Johne Lord Maxwell was creat Erle of Mortoun. Bot a litill before this Parliament the Erle of Lennox was creat Duc of Lennox, and was publiklie so proclamit be heraldis, commanding all the Kings subjects so to esteeme of him in all tyme cuming.

Capten James Stewart being thus first creat tutor to the Erle of Arran, was nawayis contentit with this obscure commoditie, unles he war promovit to heigher honors, as ye have hard. Tharefter he maid himself familiar with the [wyff of the Erle] of Marshe, wha was great oncle to the King ; wharby he obtenit sik favour, that she was quicklie gottin with chylde, and to cullor this adulterous fact, a proces of divorce was intendit be hir aganis hir laughfull noble husband, for impotencie of his person ; and this was sa cleir-lie provin, that separation was decernit betuix thais tua persons, and the new maid Erle of Arran and she war conjonit in mariage togither. Then he being promovit to the honors of the Erle of Arran, whilk aganis all law and justice was grantit unto him, althocht the laughfull Erle was never declarit culpable of any notorious fact committit aganis the person of the Prince, or the commonweill ; he rewlit and counsellit the King, as ye sall heir. In the meyne tyme, peax and concord was maid in Ingland, (in respect of thair common miserie and exile,) betuix the noble men of Hamiltoun and Dowglassis. At the end of this Parliament sum debait fell out betuix the Erle of Arran and the Duc of Lennox ; (this Erle was of a prowde and arrogant mynd, and thocht na man to be his equall ;) for at the entrie of the palice, as Sir John Sey-



toun, wha was then ane of the Kings maisters of his stable, was passing a litill before, the Erle straik his horse on the face, and so he movit debait ; bot the mater was sone pacefeit, and the Duc was electit Capten of the Kingis Garde. On the nixt day of the Parliament, the Erle had placit sum folkis in the Kings palice besydis the knowlege of the Duc, whilk commovit him sa greatlie at the Erle, that the Erle was deliberat to have slayne him, geve he could have obtenit his intent. And it was then constantlie este- mit that the Duc travellit to corrup the yong Kings mynd from the estableist religioun ; and it was then thocht that the Erle was spurrit a litill to this purpose be sum of the Ecclesiasticall sort ; wharefore the Duc came not to the Parliament that day ; and this doing commovit the King in sik sort, that he and the Duc removit to Dalkeyth, and the Erle was commandit be the King to absent himself. Bot when the Erle persavit himself to be so far disgra- cit, he travellit be mediat persons to mak satisfacioun for his prowde attemptat, and this was acceptit sa that sik peax and con- cord was then maid betuix thir tua nobles, that was never brokin heirefter ; whareat the ministrie consavit sik hatred aganis thayme bayth that could never tharefter be quenshit.

1582. At the begynning of the nixt yeir, becaus the politic effairis war at rest, it pleasit the members of court to geve eare to cer- tayne informations maid aganis a new erectit societie of ministers, callit, The Presbiterie ; sa that thair moderators war summonit to compeir before the King and counsall, to produce the buikis of thair

proceedings, to be sene and considderit ; whilk was the caus of sik a great divisioun and uprore, that so devydit bayth the spirituall and temporall estaits, as ather of thayme haittit uthers deidlie, as ye sall heir in the awin place.

In respect of consanguinitie betuix the King and the Duc of Guyse, and that he delytit in ryding and hunting, thair war sum fyne horsis sent from France to his Majestie, as Princes do use for the moste part to congratulat ane another, togither with gun poulder and bullets for his housis of strenth, whilk the King thankfullie ressavit. Bot the ministers of Edinburgh war havelie offendit tharewith, and not onlie thay for this caus, bot many uthers also ; and the preachers in particular war commovit aganis the election and nomination of Mr Robert Montgomerie to be Archebishop of Glasgow, whilk thay utterit in oppin audiences, for the whilk caus sum of thayme war baneist the cuntrie ; and a certayne minister, at his sermon in Glasgow, was pullit owt of the pulpit and buffettit be the Laird of Myntois folkis, for bakbyting and sclandering as thay pretendit.

Amang many honors that the Duc of Lennox ressavit, and was promovit unto be great rents, thair was ane amang the rest prejudiciall to his estait, for he was promovit to be great Chalmerlan of Scotland. Bot he considderit litill that the mair men of honor be promovit, ather be thair awin procurement, or be intysement of thair counsallors, thay are the mair neir to a great fall ; and as invy is the great maister of popular headdis, and be his office he had sik commission to try the inferior estait of the people, whilk

for the maist pairt is of greater nomber, and pure, and may the less suffer any kind of puneishment in body and gudis ; and he being myndit to execute his office with all spedie regour, this was a great caus of invy consavit aganis him amang many uthers. Besyde all this, the ministrie, as I tauld you afore, had consavit an opinion, that he was a seducer of the King from the estableist religioun ; and the Nobilitie thoght that his great credence and promotion with the King at court was sa prejudiciall to thair estait, that as thay have been extraordinar correctors of Prencis enormiteis in Scotland, rather for advancement of thair awin particulers than for any gude zeale that thay bure to the commonweill ; the Nobilitie and kirkmen concurrir in sik sort togither, that the ministers first began afore hand to shaw the yowth of the King to thair auditors, abusit be the societie of insolent and godles strayngers : Secondlie, that thais same strayngers war unworthelie promotit to digneteis above thair capacities and mereits, and thareby licklie to scourge the poore, whilk has bene an odious thing in all commonwealthis heirtofore : Bot as God in tyme bygane had puneist tyrannous people to thair shayme and confusioun, and had disapoyntit all thair intentions, sa thay doubtit not now of his wontit mercie, bot that he wald execut the lyke in these dayngerous dayis.

Heirwithall, certayne unquyet people of the Nobilitie war still devysing thair machinations aganis the young King, and the new Duc of Lennox, and the new Erle of Arran, how thay mycht shift thir thre from uthers severallie. In the meyne tyme, Lord

Francis Erle Bothuell returnit from France in Scotland, and past to the King in Sanct Johnistoun, whare his Majestie was then making residence with the Erle of Gowrie, as traynit thither expresslie for the purpose aforetauld. The Duc and Erle war then quyet in Dalkeyth, attending the dyet of a prefixt day to hald the chalmerland court : whareof the Erle of Gowrie, the Erle of Mar, the Master of Glammis, the young Lord Oliphant, the Laird of Lochleven, the Laird of Cleisch, the Laird of Eister Weymes, the Justice-Clerk Bellenden, the Lord Boyd, the Lord Lyndesay, the Abbot of Dumfermeling, secretar, the Abbot of Camskynneth, the Abbot of Dryburgh, the Abbot of Paislay, the Prior of Pettinweme, and the Constable of Dundé, with thair compleces war sa weill foresene, that deliberatlie thay assemblit in armes within the province of Stratherne, to the nomber of a thowsand men or thareby, and convoyit the King perforce (at his owtcuming from St Johnistoun,) to the castell of Ruthven ; wharin thay detenit him without any remonstrance wharefore, be the space of sax dayis ; and this was done upon the 23 day of August, 1582. They pat all the gentilmen of his garde violentlie fra him. And howsone the rumor of this attemptat was divulgat in the cuntrie, the Erle of Arran addrest himself with a small chosin cumpany to have relevit his Prince, and as he is cum nar to Dupleyne, he was suddenlie apprehendit, and put in custodie within that castell, and his armure tayne from him ; his brother William Stewart evill woundit, and all thair cumpany ather hurt or spulyeit. And the King persaving this strait dealing of thairs, he was compellit throw

greif of mynd to utter some injurious words aganis thame ; bot be thair craft thay appeasit him sa, that thay cawsit him assent to a Proclamatioun, whilk was devulgat to the people, letting thayme to understand, that it was the Kings pleasure to remayne in Stratherne for a certayne tyme, and that nane of his liegis sould consave in mynd that he was detenit captive, under the payne of death, and this was done to cullor thair pretence. Bot when the King desyrit to repayre to Edinburgh, thay tald him flatlie that it was not convenient for him to pas thair, whare the great ennemie to the Commonwealth was then resident, to wit, his new erectit Duc of Lennox ; and tharefore, geve he pleasit, thay sould convoy him to Stirling (whilk is a hald occupyit be ane of thair confederats,) whare he sould remayne sa lang as he list. At this offer he was litill content, and dissassentit tharunto with tearis, bot he pravailit na thing. When he was cum to Stirling, he desyrit libertie as afore to cum to Edinburgh, and that was agayne refusit. In the meyne tyme, the Duc of Lennox directit sum Lords to the King to know his mynd, but all access was refusit, and all previe talking was denyit : At last thay war introducit in oppin counsall, and thair the King cryit owt in presens of thayme all, That he was captive, and willit the Lords that war directit frōm the Duc to caus devulgat his captivitie in Edinburgh, whilk thay promiseit to do. The factioners persaving that, sent adverteisment to the Duc be his awin Commissioners, that unles he sould peceablie and with expeditioun, reteir from Scotland, thay sould be avengeit upon him, and caus him reteir perforce. When the Duc had ressavit this an-

suer, he was verie effrayit, and be counsall of freynds, he retirrit to the castell of Dumbarten, of purpose to have lurkit thair a certayne space, till the factioners sould be of another mynd. Bot thay diligentit sa thair turnes, that thay sent chargeis unto him in the Kings nayme to reteir furth of the cuntrie, under the payne of treason; and he persaving na uther remeid bot all extreyne regor, demandit the Kings passport to mak vayage throw England; and this thay grantit unto with all thair hartis; and sa was he dispashit from Scotland without sycht or gude nycht of the King, nather was the King any wayis permittit to se him. Bot how the King recompancit that regorous dealing of thairs, ye sall heir. And efter that he was departit to England, and had ressavit sic dissimulat intertenement at court as it pleasit thayme to bestow upon him, he past in France, and all this vayage was with extreme melancholie, whilk possest him in sik heigh forme thair, that he departit this lyf at Pareis in France, within few days efter his arryvall. Thus the young King so handlit, was effrayit, and was deliberat to yeald to tyme. And als he was constraynit be thayme to yeild to all thair willis, he desyrit that thay wald grant him libbertie of hunting; for he perswadit thayme, that bayth he lykit of thayme selfis and of thair proceidings, and tharefore dissimulatlie promiseit, that he sould not reteir him self furth of thair societie, and so semit to neglect his hie wraith conceavit aganis thayme whill he might do better.

And howsone the King was perfytlie informit of his death, he was sorie in mynd, and without all quyetnes in spreit, till he

sould se sum of his posteritie, to posses him in his fathers honors and rents ; and tharefore with all diligence he directit Patrik Master of Gray to France for the Duc of Lennox, his eldest sone, callit Lodovic, wha convoyit him saiflie in Scotland upon the 13 day of November, 1583. He was honorable convoyit from Leyth to Kinneill be thre Erlis, Huntlie, Crawfurde, and Montrose, and the King ressavit him and imbracit him verie thankfullie. He was then of the eage of threttene yearis, and becaus of the imperfection of his yearis, the King constitute the Erle of Montrose to be administrator and tutor unto him. Nixt, he sent for tua of this young Duc of Lennox's sisteris ; the eldest he cawsit be mareit to the Erle of Huntlie, and the second to the Erle of Mar ; and all this was done in commemoratioun of the singular gudewill and favor that he bure to thair father.

Thir factious Lords having thus possest the King, and the preachors of the cuntrie allowing of it publiklie in thair sermons, as a gude and godlie wark, thay thocht expedient to corroborat thayme selfis and thair actions be the assistance of Ingland ; and thus thay directit thair message prevelie unto the Queyne of Ingland, willing hir to send in sum ambassador to desyre the King to allow of thair fact, and to restore Archibald Erle of Angus ; whilk she did with all expeditioun, be sending in Mr Carie and Mr Bowes for this effect. And the King being then in bands, was forcit to grant to all petitions, whilk tharefter was deir coft. The Erle of Gowrie Prence of this conspiracie, althocht he had bene the instrument of the wrak of Mortoun, yit he ceissit not

day and nycht to travell with the King for the restoring of Angus ; sa that be his diligence, and procurement of the ambassadors, the Erle of Angusis pardon was proclamit the first day of October. Bot how lang he deservit that, ye sall heir.

Howsome this forme of proceeding was notefeit in France, the King, be earnist procurement of the Duc of Guyse, (a neir kynnismen to our King,) directit double ambassadors in Scotland. Monsieur de la Mot Fenelon knyght of the ordor of St Esprit, was sent be land throw England ; Monsieur Meneville the uther ambassador, was directit be sea. Thay came bayth in Scotland in the moneth of Januar of the nixt yeir, and upon the 23 of that moneth thay gat presens of the King at his palice of Halyruidhous, with cheirfull and blyth countenance of his Majestie. Thair oppin negociatioun was to this effect.

First, to know geve the Kings persoun war in any kynd of daynger, and geve he war impeshit of his libbertie, and utherwayis gairdit then he wont to be, or prejugeit in his soverayne auctoritie : and geve sa be, that the ambassadors sould travell that he may frelie command in his awin effairis, and in the effairis of his realme and subjectis, as he was wont to do : and that his Nobilitie and thre estaits of his realme may have frie acces unto his Majestie, notwithstanding the feir and suspicioun thay tak of any gairdis of men of weare now about his person.

Item, the Nobilitie being convenit and the thrie estaits, That thay sall desyre the restableiment of maters put owt of ordor in the commonweill, or that ar any way alterit from thair auld estableist estait.



Item, To inquyre of the King, how he is contentit with the persons of estait that now possessis his person ; and in cace thair be any cawsis of divisioun, that the ambassadors sall travell to ag-grie thame, to mak concord and unitie amangis thayme, and that Monsieur Menevile sall not depart from Scotland till he have maid perfyt agrement betuix the thrie estaits.

Item, Geve any subjects have misbehavit thayme selfis unto the King thair Soverayne Lord and Prence, that thay sall requyre the King to forget the same ; and in the meyne tyme, to exhort thais disobedient subjects to have respect unto thair dewtie, and to geve obedience unto thair King in tyme cuming.

And geve the King sall confes him self to be straittit and constrainit, ather in his bodie, auctoritie, libbertie, or dispositioun of his person, besyd his accustumat use, that the ambassadors tak paynis to employ thair credeit, in nayme of the King of France, to-wart the Nobilitie and subjects of his realme, for the restoring thareof, and speciallie of sik Nobilitie as best his Majestie dois lyk of.

Item, That they sall assure the King of Scotland, and the thrie estaits of his Realme, that the King of France is deliberat to keap and observe the ancient band and league of alliance contractit betuix France and Scotland ; and, tharefore, to requyre and re-queist the King of Scotland, his Nobilitie, and thre estaits, to persevere in the auld kynd of amitie and love whilk hes bene heirtofore betuix the tua realmes.

In lykmaner, becaus the King of France dois perfytlie under-

stand in what respect the King of Scotland did keap the Duc of Lennox in his service ; tharefore, Monsieur de la Mot hes charge and command to beseik his hienes, that the said Duc may remayne in his cumpany for contentment of his Majestie, in hoip that he salbe an instrument to caus the said league be observit betuix the tua realmes, that thareby he may becum a faythfull subject to thayme bothe. And geve he may not be permittit to remayne without suspicioun that the commonweill salbe alterit from the tranquillitie thareof, at the least he may be permittit to reteir himself to his awin housis in Scotland, for surenes of his persone ; or geve it sall pleas him to returne in France, that with all surenes he may be convoyit.

Item, To requyre the King of Scotland that it may pleas him to caus the difficulteis be removit from the coste of Scotland, raisit to the intent that the naturall Frensh men may not traffecque as thay war wont to do.

Item, That na purpose of infamie nor unreverent termes of preachors in Scotland be spokin aganis the King of France, evin as in France na thing is spokin of the King of Scotland bot to his great honor, dignitie and advancement.

The King ressavit thir articlis be his Secretarie, to be advysit upon be his counsall and estaits. Bot althoght bayth the Ambassadors maid earnist instance with the King, that the estaits of the cuntrie sould be convenit, the usurpit counsall that still held him captive impeschit the same, and the preachors of Edinburgh in the meyne tyme sa mockit and bakbyt it thais ambassadors, that

greavit the ane and irkit the uther; for Monsieur la Mot was callit be thayme the ambassador of a bludie murtherer, and bure the bage of the antechrist, (whilk was the croce upon his showlder;) and the uther, becaus he had a preist in his cumpany, was not onlie evill spokin of, bot thair was great preparatioun maid be perturburs of the estait, to have assailyeit his logeing and takin the preist furth perforce; bot he prevenit thair intent be assistance of George Lord Seytoun, wha sent sum gentilmen to garde him, as thay did bayth nycht and day sa lang as he remaynit. Bot in the meyne tyme it is to be notit, that thair was sik aggreement betuix thir rebellious Lords of Scotland and the counsall of England, that Monsieur la Mot was not permittit to cum from London, till sure adverteisment was had thair, that the Duc of Lennox was entrit in England. The marchands of Edinburgh war commandit be the King to mak gude treitment, and geve gude countenance to the ambassadors, as I sall shortlie schaw. Monsieur la Mot being auld, was wearie of this cauld cuntrie in short space, and therefore he was earnest with the King to have his dispatche; bot in end was compellit to accept of sik as sould best pleas the usurpit counsall to bestow upon him; for he was never permittit to talk with the King secretlie, and therefore he abaid the shorter; and upon the verie last day of his departure from Edinburgh, bayth the ambassadors war bancattit be the Magistrats of that toun; whareat the preachors tuik sik indignatioun, that they maid thré severall sermons that day, begynnand the verie hour of the bancat, whilkis continewit salang as the bancat endurit, crying owt in

their allegoreis all evill, sclanderous and injurious words that could be spokin aganis the King of France, aganis the Duc of Guyse, and aganis the Magistrats of Edinburgh for geving of the feast.

The uther ambassador abaid a certayne space efter, and travel- 1583.  
lit secreitlie with the King, to caus him assure himself of a certayne number of the Nobilitie, and to reteir him owt of the cumpany of thayme wha held him in captevitie, and that be the reddest and best way he might ; as also that he sould call upon thais men, of whome he had gude hoip, that be thair counsell and ayd he mycht puneis the foirsaidis rebellious persons, and this was wroght verie craftelie be the King : For the lords gave sik perpetuall attendance upon him, and he never wald seme to escape from thayme, bot still behavit himself with the best countenance he might, to remove all suspicioun from thair myndis that could be consavit aganis him. Besyde all this, he had frequent fayre talking with the Ambassador of Ingland ; till in end, efter he had thus spent lang tyme in thair societie at Halyruidhous, he desyrit that thay wald permit him to pas to Falkland, for chayngeing of aere and hunting, whilk thay permittit, bot still thay awaittitt on him with trowppis of horsemen in great number ; and he persaving that he was still sa inclosit be thayme, he awaittitt a secreit tyme upon a day when he saw thayme maist quyet, and with cumpany of a chamber servant, he stall from thayme at a bak syde, and rayde with extreme diligence to the castell of Sanctandros ; wharin he

remanit in great secrecie, till sic Nobles of the land cam to him in the moneth of Junii 1583, as he had writtin for, with thair forces : And in the meyne tyme he directit furth his Proclamations in the cuntrie, commanding that na Erle sould repayre to his presens with a greater cumpany nor sax men, a Lord with foure men, and a Baron with tua men ; as also that nane of these sall cum in his presence without speciall licence had and obtenit thareto, and that under the payne of treason. At this proceeding of the Kings, the Lords were heighlie effrayit ; and the Erle of Gowrie persaving that maters war gone astray, and that the King wald remember his treatment of the last yeir, he deliberat to prevene the inconvenient geve it war possible ; and tharefore he desyrit the Kings licence to cum unto him in a prevat manner, and that was grantit ; sa that howsone he was cum to Sanctandrois Castell, on his kneis without forder proces, in all humilitie askit pardon of the Kings Majestie for his preceiding fact, and shew him self penitent in particular in the offences that he had maid and utterit aganis the umquhile Duc of Lennox, aganis the Erle of Arran, and above all, aganis his Majesties awin person. Efter him, all the rest of that faction came, ane be ane, in quyet maner, and soght pardon ; and the King grantit pardon to thayme all, with this proviso, that thay sould reteir furth of the realme and remayne tharefra during his Majesteis will. The Erle of Angus was chargeit to remayne in Angus, and the Erle of Rothes was sovertie for his obedience. The Lord Boyd, the Lard of Lochlevin, and the Larde of Eister Weymes past in France ; the Erle of Mar, the Master of Glamis,

and the thre Abbots past in Ireland ; the Erle of Gowrie driftit tyme foure or fyve monethis efter thair absence, saying he sould depart this day and that day ; bot how he myndit to depart ye sall heir.

This done, the King sent for the Erle of Arran, and the King and he sa consultit togither upoun all effairis, as be the consequents ye may learne ; and howsone he had shiftit this tumultuous cumpany from the cuntrie, he declarit publiklie to his peceable liegis, that he was captive, in these terms following.

“ We, with advyce of the Lords of our previe counsall, hes thought expedient, to notefie and publeis to the warld, but speciallie to all our looving and gude subjects, the trewth of our mynd and lyking, tuiching our estait of this yeir bygayne, and our present conditioun ; declaring heirby, that howsone We fand our self cum to sevintene yeris of eage, and remembring the trublit estait of our realme, throw the frequent trublis and alterations that hapnit in our yong eage in tyme bygayne, alwayis to our skayth and prejudice ; bot speciallie in that whilk fell owt the last yeir, to the great offence and mislyking of our mynd, althoght for publik quyetnes saik, We moderatlíe bure with that treasonable fact, and with all that succedit thareon, and keapit the same alwayis deaplie in thocht, till it sould pleas God to offer proper tyme and occasioun to restore us to our awin place and estait ; that We might shaw our selfis a King, and that indifferent, to our Nobilitie and gude subjects, and not to be led and careit away be clannis, factions, or particular men of any degrie, to the prejudice of that

acces, whilk all oure subjects aucht to have to thair soverayne Lord and King : And tharefore, upon our awin proper motive, in the moneth of Junij last, we tuik purpose to pas fra Falkland to our citie of Sanctandrois whare we reposing in suretie, attending the convening of a gude number of the prencipals of our Nobilitie, note-feit to thayme at thair cuming, the effect of our proceiding and intentioun ; permitting to uthers not writtin for to pas hayme, whill We, with advyce of sik chosin persons of our counsall as We then electit to tary with us, sould deliberat further in all things neidfull concerning the suretie of our person, and conservatioun of the publik quyetnes of our cuntrie ; whareinto we have occupyit our self cheifly sensyne, intending, with Gods grace, to convene our realme and lieges heirefter, in gude peax and quyetnes, and in professioun of Gods trew religioun publiklie preachit, and be the law estableist in the same : Assuring all our subjects, that we seik not the hurt and ruyne of any of thayme, notwithstanding of any thair lait bygane offences, that sall tymoslie acknowlege the same with penitent hartis, and crave our forgevenes tharefore, whilk we are willing to grant unto thayme, and be thir presentis promeissis sua to do, provyding thay provok us not be thair unlaughfull and unquyet doings to remember thair former transgressions ; and we sall not call to mynd any factioun that has bene in our minoritie, bot our will is, that the same be bureit in oblevioun : We will also, that the like be done amang our haill subjects ilk ane to uthers, and be thir presentis we discharge all questioun for ony mater that hes hapnit amang thayme in tyme bygane, and



that nayne sall quarrell uthers for this or that fault, as we have gevin gude pruiſ of our clemencie and favor to ſum alreddie. Our will is heirfore, that publicatioun of the premissis be maid at the Mercat Croces of the heid burrowis of our realme, and uthers places neidfull, to command and charge all and ſindrie our lieges to contene thayme ſelfis in quyetness, under Gods fear and our laughfull obedience ; that nane of thayme tak upon hand to move or provocke truble, unquyetnes, or ſeditioun among our ſubjects, be worde or deid, or ſhaw thayme the authors and inventers of alteration or novalteis, tending to the disturbing of our eſtait, as thay will anſuer upoun thair allegiance at all heist charge and parrell, and under the payne of our indignatioun and displeasure, geve thay ſall attemp any thing in the contrar. Gevin at Perth the penult day of Julij, and of our reigne the xvii yeir.”

The newis of thir proceedings was ſuddantie direct to the Queyne of England ; and tharefter ſhe ſent in Scotland hir cheif Secretarie, callit Sir Francis Walsinghayme, (a grave and diſcreit gentleman,) in the moneth of September to the King, with many reproches ; firſt, that he had reſſavit the Erle of Arran in court, aganis his promeis maid to the Queyne of England ; ſecondlie, that he had baneist the maiſt ſpeciall of all his gude ſubjects, wha had ſhawin him beſt ſervice ſen his coronatioun ; thridlie, that he had demittit an Engliſh Jeſuit from preasoun, at the inſtigatioun of the Ambaſſador of France, aganis his Maſteis awin promeis in the contrar maid to his Miſtres, that he ſould be delyverit in England ; and laſt of all, becauſe dyverſe evill diſpoſit ſub-



jects of Ingland war sterand up forayne Prencis aganis the realme of Ingland, he desyrit the auld peax to stand that is ratefeit betuixt Scotland and Ingland.

To these reprochis the King ansuerit in generall termes, that as he was a frie Prence, he might do as he list in his kingdome, as the Queyne of Ingland dois in hers ; and as for any promiseis that he maid during his thraldome, thay aught not to be imputit unto him now. And as concerning the things alreddie past, thay can not be remeidit. And last of all, he consentit to the ratification of the peax ; and in thais termes thay endit, whilk the Ambassador tuik in gude part, and so departit from Scotland with all the haist he could.

Then the King convocat all his peceabill Prelatis and Nobles, and thair he notefeit unto thayme the greif that he consavit of his unlaughfull detentioun the yeir bygayne, and tharefore desyrit thayme to acknowlege the same ; and thay be thair generall voittis decernit the rayd of Ruthven to be manifest treasoun. The Ministers on the uther part, perswadit the people that it was a godly fact, and that whasoever wald not allow thareof in his hart, was not worthie to be estemit a Christien ; and as thay war bissie on the a part, sa was the factious Lords bissie for thair redres, althocht be ane extraordinar meyne. For the Erle of Gowrie driftit tyme four or fyve monethis efter the absence of the rest, saying he sould depart this day and that day : Bot in the meyne tyme was working secretlie with certayne of the Nobilitie, and with the said Erle of Mar and his cumpany, to reteir thayme

hayme agayne, certefeing that he had wroght with certayne lords and gentilmen at hayme, that has promeist help, powar and presence, to be in the toun of Sterling at Pash evin, the yeir of God 1584, as in verie deid thay assemblit in great nomber. He promeist lykwayis, that the Erle of Arran sould be slayne, and that the King sould be constraynit to new lawis, and sould be maid obedient to thair willis. This band was subscriyvit be many, and is maid notorious to the King be a secret intelligence ; and therefore he first cawsit the Erle of Gowrie to be apprehendit in Dundee be William Stewart Coronell, and cawsit charge certayne Ministers to compeir before the secret counsall, bot thay disobeyit and fled in Ingland, as naymelie, Mr Patrik Galloway minister at Sanct Johnstoun, and Mr Andro Melvill, Professor of Divinitie at Sanctandrois. The Erle of Gowrie was convoyit be sea to Leyth, and fra thyne to the Kings palice, whare he was straitlie examinat upon the fyftent day of Aprile. The factious Lords convenit in Stirling at the appoyntit day furth of Ireland, and war assistit be Archebald Erle of Angus. Bot the King upon a suddan convocat an armie, and past directlie in battell aganis thayme, whareat thay war sa effrayit, that immediatlie thay fled in Ingland ; and so the King entrit the toun of Stirling ; bot the castell was keapit be sum of the Erle of Marris men, and at the first summonyng thay randrit the hous, bot a great part of thayme was hangit for thair paynes. At this tyme the Erle of Gowrie was tryit be his Peares, and be his awin confessioun was fund guiltie of treasoun, and therefore he was beheadit in Stirling upon the 4 day of Maij at 1584.

aucht houris at evin or thareby. My Lord Lindesay, the Master of Cassells, and the Laird of Coldenknowis, ar committed to ward as suspect persons of this conspiracie.

In the moneth of Maij, a current parliament is haldin at Edinburgh. The Erle of Craufurde bure the sworde of honor, the Erle of Huntlie the scepter, the young Duc of Lennox the croun ; and in absence of the Erle of Argyll Chancellor, the Erle of Arran was chosin to supplie his place. The King declarit the great affectioun he bure to his commonweill, and according to his dewtie was willing to promoove sik as weill deservit, and to have bene mercefull to them of gude expectatioun ; of whose nomber he estemit that the Erle of Angus sould have bene ane, being baneist and forefalted afore for disobedience, and for whose occasion this current parliament was onlie institute ; yit becaus he had fallin into a greater cryme, he thocht necesser to mak mentioun of this with the former, to aggravat his double cryme, and therfore desyrit the assistance and voittis of the Nobilitie then convenit to concur ; and so upon the 24 day of Maij is publiklie be generall consent proclamit a traitor.

This parliament diminishis the prevelege of the ministers ; that whereas they preachit, that bishops wer not tollerable in the kirk, they ar now decernit be parliament to be ther superiors, and to depose or admit them, as they fynd them worthie or utherwayis ; and siclyk depyvis the ministers from power to excommunicat the Kings subjects in all tyme cuming. Now certen ministers who knew them selfis giltie of thir former proceidings, wer fugi-

tive ; and in speciall tua ministers of Edinburgh, Mr James Law-soun and Mr Gualter Bacanquall ; for the whilk caus thir tua wer decernit be ther parochyners to be unworthie sheipheids to governe a flock, bot rather as ravanous wolfis ; and this was subscrivit be the handis of the principall magistratis for that tyme. The thrid preacher at Edinburgh, callit Johne Durie, was baneist to the north of Scotland ; Mr James Carmichell, minister at Haddingtoun ; Mr Andrew Melvin and Mr James Melvin, preachers at St Androis ; Mr Patrik Galloway, minister at St Johnistoun ; James Gibsoun, minister at Pencatlen ; all thir fled in Ingland. Mr David Lyndsay, minister at Leith, suspected of treason, was apprehendit and committed to warde in the castell of Blaknes ; and Mr Patrik Adamson, bishop of St Androis, appoynted be the King and counsell to preach at Edinburgh. As also the King directit Patrick Archebishop of Sanctandrois to Ingland, to tak sure cognitioun of the ecclesiasticall policie of that cuntrie, and to report the same to his Majestie at his returne, that he mycht frayme the kirk of Scotland conforme ; bot this tuik na gude succes, for albeit this Bishop was a man of rare learnyng, and of excellent doctrine in the kirk, yit his actions and proceedings in lyff and conversatioun war nawayis correspondent ; and the baneist Ministers of Scotland had certefit sum of the counsall and prelatis of Ingland heirop, sa that the man was the les regairdit in his negociatioun.

Efter all this, the Erle of Arran was electit and constitute Lord Lieutenant of Scotland ; and becaus thair war sindrie enormeteis committit on the east bordors, it was appoyntit be bayth the

realmes that Commissioners sould talk of those and uther maters concerning the commonweill, and generall peax ; sa that for Scotland the Erle of Arran was sent, and for Ingland my Lord Hunnysdayne, Lord Chalmerlan of Ingland. These twa personages met at the kirk of Fowldayne in Scotland, in the moneth of August, and talkit lang verie secretlie together ; and in the end, Patrik Master of Gray was introduct, and thair he affermit that he had sum secret purpose to communicat to the Queyne of Ingland ; and this mater was sa convoyit be the credence of the Lord Lieutenant of York and the craft of Gray, that under cullor of border maters, he was sent Ambassador in Ingland. Bot his secret intioun was sa honest as ye sall heir ; for in steid of playne peceable maters as efferit, he being a Professor of the Catholic Romain religioun, and thareby professing himself a great favorer of Queyne Marie of Scotland, and a servand freynd to hir great kynnisman the Duc of Guyse, and being previe to all the Queynis secret effairis that she wald have had performit in Scotland or in Ingland, he devulgat thayme all thair to Queyne Elizabeth ; whareupon proceidit the violent end of Queyne Marie thair capteve, as salbe schawin heirefter, to the great turpitude of thayme that sould have stayit sik proceidings.

And becaus it apperit to the Counsall of Ingland, that the King of Scotland was governit be sik folkis as thay had bot small opinioun of, to be favorers of thair estait, and that notwithstanding the Erle of Arran was a meyne and a great help to devulgat the Queyne of Scotlands proceidings for the weilfayre of Ingland, yit

becaus the baneist ministers of Scotland war cheiflie annoyit be him, as thay informit the counsall of Ingland; and becaus the estait of that countrie makis a compt of the conjunctioun of the religioun with thair impyre, and that albeit the Erle of Arran was not a profest Papeist of the Romaine religioun, yit thay es-temit him als great a persecutor as geve he had bene of that same professioun, and tharefore thay wroght all the meyne thay could for his fall. To this fall thair war tua helpis. The first was the slaughter of Sr Frances Russels on the bordors, be the warden of Scotland and his men, be playne chance, bot not of set purpose; for the whilk caus to be avengeit, the Queyne of Ingland sent in hir ambassador Mr Wittoun to playnt, allegeing that Sir Frances was slayne be the instegatioun of the Erle of Arran; and tharefore he desyrit him and the Erle to be bayth committit to preasoun till thay sould be tryit; and this was grantit, and the Erle was empreasonit in the Castell of Sanctandrois upon the 29 day of Julij; and the Warden in Aberdene, whare he deit in great greif of mynd; bot Arran was lettin lowse shortlie, whareof the Ambassador adverteist his Princes whereat she stomakit a litill. The uther help was, that the Queyne and Counsall of Ingland war burdenit with the Erle of Mar, the Lord Hamiltoun, the Erle of Angus, the Master of Glamis, and the baneist ministers of Scotland, with the rest of that factioun; thay thocht necessar to expose thayme haymewart to thair fortune, be the commoditie of the insurrection of Johne Lord Maxwell, then a deidlie ennemie to the Erle of Arran and all his proceedings; sa that be thais tua helpis

thay thocht that thay had gude opportunitie and cawsis to be avengeit on the King ; bot in what maner thay usit the same ye sall heir.

Whill these maters are in wirking, and communicat in Ingland to Lord Clawd Hamiltoun, he deferrit to geve ansuer in the matter till he sould be forder advysit ; and in the meyne tyme he sent in advertisement heirop to the King and the Erle of Arran, thinking heirby that the Erle of Arran sould have acceptit sa weill of the intelligence for his saik, that he sould have bene beneficiall to the hous of Hamiltoun, and sould have declarit himself playne ennemie to the Dowglassis. The King for his part allowit weill of the maters, and sent a pasport to the said Lord Clawd, assuring him thareby to be welcum in Scotland for his paynis, and thus he came hayme beleving to be welcomit be thayme bayth. Bot the Erle of Arran shew himself a playne ennemie unto him efter his hayme cuming. First he thocht to have slayne him, and nixt he causit the King baneish him to France, which was unthankfull dealing ; for he estemit that nather Dowglas nor Hamiltoun durst presume to cum in Scotland, bot he was desavit, whareas he thocht to have debarrit thayme bayth. Thay on the contrar, concurrit together, and debarrit him. And now last of all, restis to tell yow the caus of Maxwellis insurrectioun, and how all thir baneist Lords and he concurrit together.

In the meyne tyme, the Erle of Arran was sa vigilant, that he espyit owt sik persons as he thocht mycht have gevin help and subsidie to further the baneist Lords. Amang uthers, the auld

Lard of Drumwhassill was ane, and Dowglas Lard of Maynis was another. Aganis these tua he brocht in tua fals provis, and caw-sit thayme be confrontit before the Juge, be the whilk sophisticat affirmatioun, thay war bayth convict to be hangit, as thay war indeid in Edinburgh upon the first day of Februar : and albeit be this forme of proceeding, he thocht to have terrefeit the baneist Lords, he prevailit not that way. Bot now to the purpose.

At the west bordor of Scotland thair was bot small quyetnes ; for Johne Lord Maxwell, whais predicessors and himself war accustomat to be wardens thair, was evill lykit of be the Laird of Johnestoun, for sum extraordinar proceedings of Maxwellis ; and Johnestoun had sa travellit in court be assistance of Arran, and the great travell of his awin Lady, that thay movit the King to wryt to the Magistrats of the toun of Drumfreis, (whare the said Lord Johne is accustomat for the maist part to mak ordinar residence,) to chuse and elect the Lard of Johnestoun to be thair Provost and Major. This purpose semit to Lord Johne to be done for his ignominie and contempt, and tharefore be advyce of his brother Robert Maxwell, Capten of Castlemilk, he cawsit get sure intelligence of the prefixit day that thay war to elect him upon ; for agayne that day, Maxwell had writtin to all his weillwillers and freyns to meit him prevelie in Dumfreis, verie tymous in the mornyng, whilk thay did ; and it was commandit thayme to attend upoun Johnestons entrie in the Tolbuyth, that how sone he had ressavit his office, sworne and bene admittit, that at his furth cuming thay sould kill him. Bot Johnestoun understanding 1585.



secretlie the trayne devysit aganis him, and fearing the daynger thareof, thought best to reteir himself quyetlie, with saiftie of his lyff, and to omit the petitioun of Major for that tyme, whilk was verie wyselie done. Tharefter he came with all expeditioun to court, and playntit to the King and Counsall; and tharefore (in respect that he was Wardayne,) he desyrit that the King wald grant him a hundreth soldiors, and he sould furneis for him self a hundreth horsemen, with the whilk fortificatioun and assistance he thocht to have supprest Maxwell. Bot that Lord was sumthing better provydit, and came with displayit baner bayth of horse and fute aganis the Warden. He slew the prencipall of Johnestons Captens, callit Lambie, and almaist all the haill number of his soldiors: he chaissit the uther Capten, callit Cranstoun, with samonie as war left alyve. The Laird of Johnestoun with all his horsemen fled, bot within few dayis tharefter he was sa weill espyit be Maxwellis freyndis, that he was tayne and fell in his hands, and was keapit strait for a lang tyme, whill sum articlis of peax war amiablie concludit amang thayme; and Johnestoun shortlie efter departit this lyff, for greif of the great victorie, that his enemye had obtenit over him: And notwithstanding of that agrément, the malice remaynit still in the hart of his posteritie; and Maxwell on the uther part was sa prowde, that na covenant could contene him from malice and contempt of that hous of Johnestoun, the effects wharof fell owt as salbe shawin in the awin place.

The King in this yeir was becum a brave prence in bodie and

stature, weill exercesit in reading, that he could perfytlie recorde of all things that he had ather hard or red ; his memorie and jugement war becum verie ryp and fyne. Tharefore, that noble King, Frederic the Second King of Denmarc, finding sik opportunitie and occasioun be the credible report of famous gentilmen and marchands of Scotland, to congratulat the gude estait of our King his confederat, he essayit him twa wayis, be his renownit Ambassadors sent in Scotland in the moneth of Julij 1585. The first way was, that he proponit be his ambassadors, that the Ilis of Orknay and Zetland war bot lent from the crown of Denmarc for the debt of a sowme of money awin to the crown of Scotland ; and for the redemptioun of thayme, thay had the money present to rander to the King and his estaits for laughfull restitutioun and repossessioun, &c. The uther way was, becaus the Kings gudelie stature, and ryp yeares requyrit the societie of sum condigne Princess to be his bedfallow ; and that King Frederic had then twa doghters, and was willing, (geve it sould pleas the King of Scotland,) ather to geve him his chose of thayme, or that he wald accept the ane of thayme, as it sould pleas the father to bestow, whilk sould be the maist cumlie, and the best for his prencelie contentment. To the first it was answerit, that becaus the playg of pestilence was then verie vehement in Edinburgh, his capitall parliament toun, and that tharein all his writtis whatsoever did ly, and thareunto thair was na sure acces, tharefore the King besoght the ambassadors to tak in patience for that tyme, for he sould send an ambassador of his awin, with the first commoditie,

wha sould geve a resolute ansuer in that purpose. And as to the second, he thankit the King maist hartlie of his kyndnes, and wald gratefie the same be his ambassador also, wha sall have powar to declare his gude will in that mater, howsone he might understand the gude will of his estaits. With these ansuers the ambassadors war exceiding weill contentit, and departit from Scotland in the moneth of August with great joy.

Now then to returne to Maxwell and his proceidings ; the King be instigation of sum courteurs was heighlie offendit, and tharefore conclusioun was maid to pas aganis him in all maner of hostelitie. Maxwell persaving na uther remeid to save himself from this inconvenient, devysis this that followis. Lord Johne Hamilton, of whom I wrait in the begynning, with his brothir, was unjustlie baneist be James Erle of Mortoun : The Erle of Angus, and certayne of his dependers, war baneist be the King for his demereits of disobedience and rebellioun, with certayne of the ministers : all thir maid then togither thair residence in Ingland ; and althoght the said Lord Hamilton, with his brother Lord Clawd, war prosecut be the Erle of Angus in the caus foirsaid ; yit be reasoun of thair common miserie of baneisement, thay war reconcelit in Ingland : the Erle of Mar and the Master of Glammis war associat with the rest. To these, I say, Maxwell convertis himself, and makis a previe paction mutuell amang thayme selfis, and he delatit the mater unto thayme how he had bene prosecute be Johnnestoun, and was victorious over him, and that he had in reddines thre hundreth soldiers, with sax or sevin hundreth horsemen, and that it war now

tyme for thayme to have consideration of thair baneist estait ; and my Lord Hamilton and he being cusing germens, it was the dewtie of the ane to supplie the uther : And becaus the Erle of Arran was a common ennemie to thayme bayth, it war gude tyme thay sould all reteir hayme, with assistance of freynds, and uther noble men of Scotland, as naymelie of Bothwell, Home and Coldenknowis, and he himself sould be reddie with his men, to the mutual societie ane of another. This proposition of his was maid knowen to the counsall of Ingland, whareunto thay so willinglie assentit, that thay not onlie sent down money to the saidis Hamilton, Mar, and Glammis, bot also wrait to thair foirsaid ambassador, Mr Witton, in Scotland, to procure sum factionun about the King ; whilk he rycht craftelie accomplieist, and procurit Secretar Maitland as ane, the Master of Gray for another, and the Justice Clerc Bellenden for the third ; sik was the general invy consavit aganis the Erle of Arran Chancellor. The King on the uther part, hering of thir apperant proceidings, wrait to sindrie nobles to meet him at Crawfurde Mure : and the rebellious Lords layd thair compt to prevene him before he sould cum from Stirling, and in the meyne tyme sa belayd all wayis, that na man was permittit to cum to tell tydings to the King ; and the thre factioners about the King so blindit him and the Erle of Arran with thair informations, that thay persuadit him that the Lords wald presume nathing aganis his Majestie. The Lords, in the meyne tyme, sa wroght thair purpose, that thay gave a great subsidie of money to Johne Lord Maxwell, with common consent, for supplie of

his soldiours. Immediatlíe tharefter, thay reterit with all expedition to Kelso in Scotland fortfeit be Bothwell, Home and Col-denknowis : The intelligence whareof cam in haste to Maister Witton, ambassador, wha having accomplisht his secret erand at Court, as I have said, horsit himself suddanlie, and departit from Stirling to Ingland ; a thing never hard tell of, nor put in memorie afore, that a Christen ambassador departit from an uncowth Prence, *insalutato hospite*, as this did. Bot I confes he had gude reason, as ye may conceive. Maxwell appoyntit with the Lords, to meit thayme with his forces at the toun of Lyntoun, whare thay all convenit : From thence thay came weill equippit in weirlykmaner to the Falkirk, and fra that to St Ninians chappell, whilk stands within a quarter of a myle to the toun of Stirling, whare thay set down thair camp in the moneth of October, and within the space of 24 howres, thay wan the toun of Stirling, thay spulyeit the honest marchands and inhabitants thareof to thair great damage and skayth, togither with the hail horsis of the noblemen, gentilmen and uthers, wha war present with the King at that tyme, and in end thay came in the castell be the subteltie afoirsaid ; and all of thayme desyrit the Kings pardoun for that hardie interpryse, whilk was grantit, rather for feare nor favor ; for thay cawsit him immediatlíe tharefter, upon the second of November, to hald a Parliament in Lithgow, whither thay conveyit him perforce, whare thair hail transgressions, with all heirships, burning and slaughter, committit be Maxwell in speciall before that day, was bureit be ane act of oblevioun, never to be

callit in compt agane be the King, or any inferior Juge whatsoever : And all maner of persons skaythit in lands, rents or guds, bearing the nayme of Hamiltoun, or thair dependers, fra the yeir of God, 1566, to that present day, sould be repossess, notwithstanding of any lawis or constitutions maid in the contrar. Brieflie, all and sik lawis as thay pleasit to have concludit at that tyme, was grantit unto thayme perforce. And besyd all this, all castells and howsis of strenth, with the rents annexit thareunto, pertening to the Crown and honour of the cuntrie, thay compellit the King to put thayme in thair custodie ; whareby ye se how the laughfull Prence is depyvit from his auctoritie, first be slight, and nixt be might. At this tyme, the Erle of Arran being in Stirling with the King, and having the keyis of the Northbrig port in his awin hand, and having tryit sa mony of the Lords as war thair for the present, fand that he durst not assure him self nather to ane, nor to all ; tharefore he devysit the narrest remeid be flight ; he past furth at the said port quyetlie, lockit the same behind him, and so discreitlie escapit that eminent furie.

Thus, Maxwell thinking with him self, that all things had succedit unto him according to his hartis desyre, as he wha had obtainit a generall remissoun for all his misdeidis, and had chaissit from the King the Erle of Arran, and was sa weill fortefeit with men when neid requyrit as he thoght, and besydis all, was sa weill assurit, that nayne of the Nobilitie of his factioun wald suffer him to incur any skayth at all, in respect of the generall band maid amangis thayme, concludit with himself, (the Kings auctoritie and

lawis not respectit,) to profes the Catholic, Apostolic and Romane religioun oppinlie, whilk upoun the 24 day of December tharefter he began on this maner. He assemblit a number of Preistis at the toun of Drumfreis, and sent previe adverteisment to gentilmen and wemen of that religioun, to assemble on that day, with whome Maxwell past in processioun in the night, to the college kirk of Lynclowden, whare thay all hard messe and sermons efter thair maner, and thus continewit tua dayis efter in my Lords awin hous at Drumfreis; the rumor whareof spred in sik sort, that the ministrie was havelie greavit thereat, and speciallie thais that war laitlie cum from Ingland, and thay compleynit to the King and counsall. Tharefter chargeis war sent owt aganis Maxwell, and aganis all exercesers and herers of messe, that thay sould all compeir at a certayne day before the secret counsall. Maxwell compering, offrit himself to a tryall, and he denyit that he was present at any sik exercise, hoiping that nayne durst be sa bauld as to stand up to beir witnes aganis him in this poynt; bot he was committit to preason for all that, within the castell of Edinburgh, under the custodie of the Knycht of Coldenknowis, Capten thareof, whare he remanit be the space of thre moneths onlie, and then he was demittit to pas hayme agayne, be the great travell and solistatioun maid for him.

During the great part of all this yeir, the playg of pestilence was vehement throw all Scotland, and speciallie in Edinburgh and thareabout, fra the last of Februar to the first of December, that a great part of the people deit of that contagioun; and becaus the

ayre of this yeir was perpetuallie nebulous and full of rayne, the cornis war universallie corruptit, sa that scant and dearth followit the nixt yeir, and great death of people for hungar.

The thrid commotioun was in the Waster Ilis of Scotland, that 1586.  
arraise betuix Angus Mak-Oneill Lord of Kintyre, and Maclean Lord of Ilay. This Angus had to his wyff the sister of Maclean ; and althoght thay war brether in law, yit the ane was alwayis in sik suspicioun with the uther, that of ather syde thair was sa litle traist, that almaist sendle or never did thay meit in amitie, lyk unto the common sort of people, bot rather as barbaris upoun thair awin guairde, or ather be thair messingeris. Trew it is, that thir Ilandish men ar of nature verie prowde, suspicious, avaricious, full of decept, and evill inventioun aganis his nychtbour, be what way soever he may circumvin him. Besydis all this, thay are sa crewell in taking of revenge, that nather have thay regarde to person, eage, tyme or caus ; sa ar thay generallie all sa far addictit to thair awin tyrannicall opinions, that in all respects thay exceed in creweltie the maist barbarous people that ever hes bene sen the begynning of the world ; ane example whareof ye sall heir in this historie following.

Angus Mac-Oneill understanding, be dyverse reportis, the gude behavior of Maclayne to be sa famous, that almaist he was recommendit and praysit be the haill newtrall people of thais partis above him self ; whilk ingendrit sik rancor in his hart, that he pretermittit na inventioun how he mycht destroy the said Mac-



layne. At last he devysit to draw on a familiaritie amang thayme, and inveitit himself to be bancattit be Maclayne ; and that the rather, that Maclayne sould be the reddier to cum over to his Ile with him the mair glaidlie, ather being requyrit, or upon set purpose, as best sould pleas him. And when Angus had sent adverteisment to Maclayne, that he was to cum and mak gude cheir, and to be mirrie with him certayne dayis, Maclayne was verie glaid thareof, and ansuerit to the messinger,—my brother salbe welcome to me, sayd he, cum when he list. The messinger ansuerit, it wald be to morrow. So when Angus arryvit in effect, he was rycht cheirfullie welcomit be his brother in law, wha remanit thair be the space of fyve or sax dayis. And when it was persavit that Maclaynis provision was almaist spent, Angus thocht it then tyme to remove. In deid the custome of that people is sa gevin to gluttonie, and drinking without all measure, that as ane is invetit to another, thay never sinder sa lang as the vivers do lest. In end Angus sayis,—becaus I have maid the first obedience unto you, it will pleas you cum over to my Ile, that ye may ressave als gude treatment with me as I have done with you. Maclayne ansuerit that he durst not adventure to cum to him for mistrust ; and Angus said,—God forbid that evir I sould intend or pretend any evill aganis you ; bot yit, to remove all doubt and suspicion fra your mynd, I will geve you tua pledges, whilkis salbe sent unto you with diligence ; to wit, my eldest sone, and my awin onlie brother germain : These tua may be keapit heir be your freyndis, till ye cum saiflie bak agayne. Maclayne hering this offer, whilk apperit unto him voyd

of all suspicioun, gave credence, and so decreitit to pas with him to Kintyre ; and forder to testefie that bayth he simplie belevit all to be trew, and that upoun hoip of gude freyndship to continew, he thocht expedient to retene à onlie pledge, and that was Angus his brother, and wald cary with himself his awin nevoy the sone of Angus. Whether he did this to save himself fra suspicion of daynger, as apperantlie of the event he did it, or geve he brocht him bak agayne upon liberall favor, I will not dispute ; becaus I have tauld you afore the perfyt nature and qualeteis of thais Islandis people ; yit becaus Maclaynis educatioun was cevile, and brocht up in the gude lawis and maners of Scotland from his yowth, it may be, that he hes had double consideratioun, ane be kynd, and another be art of honest deliberatioun. To conclude, to Kintyre he came, accompaneit with 45 men of his kynnysfolk, and stowt servands, in the moneth of Julii 1586 ; whare at the first arryvall thay war maid welcome, with all humanitie, and war sumptuoslie bancattit all that day. Bot Angus in that meyne tyme had premoneist all his freynds and weilwillers within his Ile of Kintyre, to be at his hous that same nycht, at nyne of the clock, and nather to cum soner nor laitter ; for he had concludit with himself to kill thayme all the verie first nycht of thair arryvall, fearing that geve he sould delay any langar tyme, it mycht be that ather he sould alter his malicious intentioun, or els that Maclayne wald send for sum greater forces of men for his awin defence. Thus he concelit his intent still, till bayth he fand the tyme commodious, and the verie place proper ; and Maclayne being logeit with all his men within

a lang hous, that was sumthing distant fra uther howsing, tuik to bed with him that nycht his nevoy, the pledge aforespokin. Bot within ane hour tharefter, when Angus had assemblit his men to the nomber of tua hundreth, he placit thayme all in ordor about the hous whare Maclayne then lay. Tharefter he came him self, and callit at the dure upon Maclayne, offring to him his reposing drink, whilk was forgottin to be gevin to him before he went to bed. Maclayne ansuerit, that he desyrit na drink for that tyme. Althocht, so be, said the uther, it is my will that thou arryse and cum furth to ressave it. Then began Maclayne to suspect the falset, and so arraise with his nevoy betuix his shoulders, thinking that geve present killing was intentit agains him, he sould save him self salang as he could, be the boy ; and the boy persaving his father with a naiked sworde, and a nomber of his men in lykmaner about, cryit with a lowd voyce mearcie to his uncle for Gods saik ; whilk was grantit, and immediatlie Maclayne was removit to a secret chalmer till the morrow. Then cryit Angus to the remanent that war within ;—samony as wald have thair awin lyvis to be saif, thay sould cum furth, tua onlie exceptit, whilk he nominat ; sa that obedience was maid be all the rest, and thais tua onlie feyring the daynger, refusit to cum furth. Angus seing that, commandit incontinent to put fyre to the hous, whilk was immediatlie performit, and thus war the tua men cruallie and unmearcefullie brynt to the death. These tua war verie nar kynnismen to Maclayne, and of the eldest of his clan, renownit bayth for counsall and manheid. The rest that war preasoners, of the

haill nomber aforetauld, war ilk ane beheadit the dayis following, ane for ilk day, till the haill nomber was endit ; yea, and that in Maclaynis awin sight, being constraynit thareunto with a dolorous adverteisment, to prepare himself for the lyk tragicall end, howsone thay sould be all killit. And when the day came that Maclayne sould have bene brocht furth, miserable to have maid his tragicall end, lyk unto the rest, it pleasit Angus to lowp upon his horse, and to cum furth for joy and contentatioun of mynd, evin to se and behauld the tyrannicall fact with his awin eyis. Bot it pleasit God, wha mearcifullie deilis with all man, and disapoyntis the decrees of the wicked, to disapoynt his intent for that day also, for he was not sa sone on horse, bot the horse stumblit, and Angus fell of him and brak his leg, and so was careit hayme.

The report of this falset was careit to the Erle of Argyle, Lord Justice Generall of Scotland, wha immediatlie assemblit his freyndis, and thay thocht necessar to compleyne to the King for revenge. The King directit letters to Angus be an herauld at armes callit Ormond, commanding him to restore Maclayne in the hands of the Erle of Argyle. But the messenger was interruptit at the heaving port, whare he sould have tayne shipping toward Kintyre, and so returnit. Yit be exceiding travell maid be Argyllis freyndis, and many unreasonable strait conditions grantit to Angus, at the last, Maclayne was randrit. Bot within few moneths tharefter, Maclayne maid sik preparatioun of armit men, and assemblit a great number of weill disposit per-

sons, wha came with him to Kintyre for revenge of the former injurie; whare, what be fyre, what be sworde, and what be watter, he destroyit all mankynd, nayne except that came in his way, and all sort of beast that servit for any domestik use or pleasure of man: And finallie, he came to the verie place whare Angus was mirrelie camping, luiking for na sik suddan invasioun for the tyme; geve he had not bene horsit incontinent, and withdrawin him self to a strang castell whilk was nar by, he had bene weill recompanceit for his former traitorie.

It is a certayne rewill, that all fault growis greater be oversight and forgevenes; for geve transgressions be puneist in dew tyme, the prence not onlie dois his dewtie in executing of justice, to the great contentatioun of the offendit person, and gude example to the posteritie, as a mirror of his gude lyf, bot also he gevis a terror to all offenders weill to behave thayme selfis, for feare of regorous puneishment.

I have tauld you at lenth the barbarous proceidings of these Ilandishmen, wha althoght thay war writtin for be the King, and subtellie traynit in to Edinburgh in the yeir of God 1591, with promeis of the King saillie to pas and repas, unhurt or molestit in thair body or guddis, yit thay war bayth committit to warde within the castell of Edinburgh, whare the King, according to equitie, reason, justice and gude policie, sould have put thayme to a tryall, and had thayme convict for sik odious unmearecefull crymes committit be thayme, bayth aganis the law of God and man, war notwithstanding demittit frie to repas hayme agayne, for a small

pecuniall sowme, and a shaymefull remission grantit to ather of thayme.

Efter the death of Johnestoun, Maxwell behavit himself sa negligentlie, that na transgressor was ather puneist or stayit fra evill doing: for the thevis of Annandaill and Lyddisdaill committit reiff and spulyé in all the partis of Lothien, evin nar to the Kings palice at Halyruidhous. And tharefore it was concludit be the Kings counsall, that the Erle of Angus sould be chosin lieutenant, to suppres the insolence of thais wicked thevis; and also that the Lord Maxwell sould be chargeit to compeir before the King and Counsall, to ansuer *super inquirendis*. Bot he refusit to compeir (in the moneth of September,) for Secretar Maitland had delatit him to the King as ane that travellit for libertie of conscience to be grantit and obtenit in the cuntrie, as a pernicious mater to this commonweill; and forder, that he had interprysit to kill the Secretar himself, whilk deservit a capitall puneishment according to the law. And for this caus he persuadit the King to send privat wryttings to certayne nobles and gentilmen of Teviotdaill, Lothien, Lithgow, and Sterlingshyre, to meit him secretlie with thair forces and gretest cumpany at Peblis, in the moneth of Aprile the nixt yeir; whilk thay obeyit. And the King past verie secretlie, as he thocht, with advyce of his Secretar, in all suddantie towart Drumfreis, whare the said Lord Maxwell was for the present, to have surprysit him upoun the suddane; bot he was adverteist scantilie ane hour before be a preve courteour, and escapit that present daynger, and past

quyetlie furth of the toun. Tharefter the portis war closit be command of Johne Maxwell, then major of the said toun, and war not opnit till the King came himself, notwithstanding of avant-currors that ombeset the toun and portis aforehand.

In the moneth of October, the King, at instegatioun of the said Secretar Maitland, maid jurnay agains the Erlis of Huntlie, Arroll, and Crawford, whare thay war assemblit at the bryg of Dee, in the north of Scotland. Thair the Erle of Huntlie was traynit in, and constraynit to remayne in preason, till he payit a number of French crownis, whilkis war all convertit to the use and utilitie of the said Secretar. And althoght Arroll was compellit to pay another great sowme all in golde, yit gat he never rest credence or presence in court, or in the toun of Edinburgh, till he maid homage to the Secretar.

Efter all this, in the moneth of November a parliament is haldin in England, at the whilk Marie Queyne of Scotland was adjugeit to be culpable of the cryme of leze majestie aganis the stait of England, and tharefore condampnit to the death ; the intelligence whareof came to Scotland. So the King directit Patrick Maister of Gray, (of whom, maybe red afore,) and S<sup>r</sup> Robert Melvill of Murdocairny knyght, in the moneth of December, as ambassadors towart England ; requyring that sentence so to be annullit, that it sould tak no place, and also that the Queyne sould be set at libertie for saiftie of hir person. And in the meyne tyme he wrait to all his nobles of Scotland, to convene at Edinburgh the 15 day of that same moneth, to geve thair opinions of this purpose ; whilk

thay obeyit and ilk man condescendit willinglie to grant a certayne pecuniall sowme for the furnessing of ambassadors to forayne prencis, to complayne aganis Ingland.

The nixt yeir in the moneth of Februar, the ambassadors re- 1587.  
turnit from Ingland, with ansuer that the Queyne of Scotland sould be saif, till the Queyne of Ingland sould send hir awin ambassador heir in Scotland; but howsone she had sure adverteisement, that our ambassadors war returnit hayme, immediatlie the Queyne of Scotland was put to death, hir head strickin af, and ostentatioun maid thareof to the nobles of Ingland thair present be commissioun, as the heid of a traitor. Bellis war rung at all the kirkis of London, and baylfyris kendlit up thair, for joy of that tragicall end. And notwithstanding heirof, the Queyne of Ingland directit hir ambassador toward Scotland to excuse the suddan putting to death of the Queyne of Scotland, allegeing that the same was done be the insolence of ane of hir secretareis callit Davidson; wha tharefore was committit to preason in the Toure of London, althocht he had the Queynis awin warrand for him. Bot that ambassador was not admittit in Scotland. The King efter these tydings investit himself with a dule weid of purple for a certayne dayis, and during the absence of the ambassadors, the King requyrit the ministers of Edinburgh to pray for his mother, whilk they obstenatie refusit; and the Bishop of Sanct Androis suppleit that defect.

Heirefter Sr Patrik Vaus of Barnebarroch knyght, ane of the



Senators of the College of Justice, and Mr Peter Young, orator and pædagogue to the King, ar directit ambassadors to Denmarc ; and thare the marriage with our King and Queyne Anne was concludit in termes, and thay returnit to Scotland in the moneth of August.

The Erle of Arran, wha before was fled from Stirling, had a brother at court callit Sr William Stewart knyght, to whom he sent a letter directit to the King, allegeing treasoun committit aganis his person be Sir John Maitland secretar, and Patrik Maister of Gray ; that thay promeist to rander the King in the hands of Ingland, and gave counsall to the treasonable murther of the Queyne his mother. This letter was past over with silence at that tyme ; bot Sr William ingyrit him self in great familiaritie with the Maister of Gray, bayth to learne sumwhat owt of him, as alsua to delait him in the end. And when he had learnit samekle as he thocht expedient for his purpose, he entrit the Kings counsalhous with licence, and thair the King being sitting with his previe counsall, accusit Patrik Maister of Gray of heigh treason ; wha was desyrit to purge him self, but he stude to a constant denyall, and for this caus thay war baith committit to preason within the Castell of Edinburgh that nycht, whilk was the 6 day of Aprile.

The articlis of his accusation war these : He had directit a letter to the Duc of Guyse, importing that the King of Scotland was to send certayne demands of consequence to the King of France, and therefore his counsall was that the Duc sould dissuade the King tharefra, unles our King sould grant libertie of conscience to all his subjectis in Scotland. Item, that he had geven coun-

sall and persuasion in Ingland to the death of the Queyne of Scotland, with this reason, *Quia mortui non mordent*. Item, That he was ane of thayme that betrayit the King at the last expedition of the Lords that invadit the King with Maxwell at Stirling.

He was put to tryall of thir articlis the 23 of Maij before the Senators, the Lords of Secret Counsall, and the Juge Criminall; he confessit himself culpable in presens of thayme all, whilk he wishit rather to be imputit to the imperfection of youth and ambitioun, whareunto he is somekle addictit, rather then to any malicious interpryse; and tharefore referrit him self over in the Kings mearcie to dispose upon him as best sould pleas his Majestie.

The Juge Criminall, be the Kingis awin direction, gave sentence, That he sould immediatlie pas over the rever of Forth, to remayne at sum duelling place of his fathers in Angus, and within a moneth to remove from Scotland, to be baneist tharefra during the Kings will, and to find presentlie caution, under a great pecuniall sowme, that he sould nather attempt aganis the King or kirk during his absence. Tharefter, a letter defamator was proclamit aganis him publiklie in Edinburgh upon the 26 day of Junij, ordanit also to be manifestit throw the hail realme, and tharefore what man of behavior and maners this man is, ye may considder be thais tua distiches heir following:

*Sis Paris an Graius dubito; pulchelle, videris*

*Esse Paris, forma, marte et amore pari.*

*Fax etiam patriæ, nec futo, aut omine differs;*

*Græca tamen Graium te docet esse fides.*

What regarde the Prence hes had ather to his awin honor, or to justice, or of his saiftie fra perpetuall sclander, it may weill be persavit be this for á example, but mekle mair into uthers that followis, as salbe persavit be dew consideration of the consequents.

In the moneth of Maij thair was a Conventioun of the Nobilitie haldin in Edinburgh, and amang uthir purposes it was disputit, whither Maxwell sould depart furth of the cuntrie or not? For the King, at instegation of Secretar Maitland, had commandit him before hand to remove furth of Scotland for a certayne space of tyme during his will; bot thay all voitit that he sould not departe. The Secretar hering of this, suspendit his awin jugement, and tauld the King how contrarious thay war to his will be commoun voittis, and he sa commovit the King aganis thayme all; whareat thay war sa greavit, that upon the morrow verie tymelie, thay directit the Laird of Fentrie, Captain Thomas Ker, and Mr David Maxwell unto him, assuring him that geve he sould travell any further to deturne the King from sik decreis as war, or sould be thoght be thayme expedient, and conforme to equitie, he sould feill thair universall indignatioun in the heighest forme. And upon that day at efternone, licence was grantit to Maxwell to remayne at hayme for a certayne space; notwithstanding whareof he removit him self from Scotland to Lisbone in Portugall, whare he arryvit in the moneth of Junii nixt.

The rest of the dayis of this conventioun was employit to con-corde and aggrement of all parteis thair present, that war at variance ane aganis another; as naymelie betuix the Maister of

Glammis and the Erle of Crawford; the Erle of Angus and the Erle of Montrose.

The grudge that Glammis had aganis Crawford was becaus of sum auld inimitie that was betuix the tua howsis; and as Johne Lord Glammis, Chancellor of Scotland, and the Erle of Crawford being bayth in the toun of Sterling at á tyme, sum of thair servands hapnit prowldie to invayde ane another, till in end, as ilk maister stude for defence of his servand, at last the Lord Chancellor Glammis was slayne at that tumult be a shot in his heid.

The grudge that Angus had aganis Montrose was, becaus when his uncle, James Erle of Mortoun, sumtyme Regent of Scotland, was tryit be his Peares upoun treason, and being fund gilty, the sentence of gyltenes was prononcit aganis him be the said Montrose, as Chancellor of that Juré.

All articles of peax and concorde war concludit amang thayme be the great instance, travell and arbitrement that the King maid. Sa that upoun the 15 day of Maij, he gave thayme all the bancat in his palice of Halyrudhous; and efter supper cawsit tua and tua tak uthers be the hands, and he came with thayme in person from his palice, in forme of processoun in thair doublets, to the Mercat Croce of Edinburgh; whare all men not onlie rejoysit to se and behauld sik apperant concorde, bot also praysit the King of his great industrie and travell. Tharefter his Majestie and thay went hayme in that same ordor, salutit with a number of gunshot from the castell of Edinburgh for joy. The people sang for myrth, and a great number of musicall instruments war employit for the lyk use.

In end, the Nobilitie concludit that the Kingis marriage with Denmarc sould be followit furth ; and heirwithall, in respect of the generall peax now endit, thay requyrit the King very earnestlie to revenge his mothers murther committit be Inghland ; whareunto he ansuerit, that with all his hart he wald do that ; and therefore thocht expedient to hald a Parliament in the moneth of Julij nixt following.

At that same tyme an English pattesier, wandering in the feyldis about the castell of Creichtoun, was apprehendit be Francis Erle of Bothwell, whom he cawsit to be convoyit to Edinburgh, and thayre he was committit to preasoun ; and being examinat be the Lords of Secret Counsell of the caus of his cuming in Scotland,—Imprimis, geve he had dependance upoun any persoun within this realme—2. Geve he had a saif conduct for his remayning : He ansuerit, that nather had he a maister to serve, nather a pasport. Bot he confessit simplie the trewth, being earnestlie urgit thareunto, that he was willit to demand service at Bothuell ; and in cace it war obtenit, that within proces of tyme he sould kill the said Bothuell be poyson, and sould kill the King also be that same meyne, geve he sould happin to cum in Bothuels hous. And being demandit wha had directit him hither, he ansuerit, that he and uther thre men war directit in Scotland be the Erle of Lecester to that effect. And notwithstanding of these great cawsis, he was demittit hayme but any harme at all.

In the moneth of Julij, all Noblemen, Prelates, and Commissioners of Burrowis, convenit to the Parliament : the Lords of Ar-

tielis war chosin. At this Parliament the ministers devysit the plat following : Becaus the Prelats had great rents that apper-  
tenit to the kirk be gude rycht, and that thay did na service or  
function thairin, bot levit at thair pleasure : And the saidis Bi-  
shopries and Prelaceis had certayne temporall lands annexit unto  
thayme, whareby ather of thayme are callit Lords. For thir tua  
cawsis, the ministers estemit thair estait sa odious, that thay  
preachit mikle aganis thayme ; and besydis all this, they estemit  
thair awin ordinar stepends to litle, and evill payit, and tharefore  
devysit to put in the heid of the Prence, that thais temporall  
lands could not, nor sould not, justlie apperteyne to the Prelats,  
bot rather to the Crown. This purpose was communicat to Secre-  
tarie Maitland, wha at this Parliament was estableist Chancellor,  
in whome thay trustit that he sould convoy all things to thair in-  
tent ; and tharefore thay willit him to persuade the King, that  
the few mailles of the temporall lands of prelaceis sould be annexit  
to the ministers stipends ; whareunto he gave many plausible an-  
sueris. Bot he informit the King directlie in the contrare, affirm-  
ing that it war necessar, that the temporall lands of prelaceis  
sould be annexit to the Croun to enriche the same, whilk was then  
at small rent. And he considderit weill, that offers wald be maid  
be every possessor, wha wald bestow layrge money to obtene the  
gift thareof to him self heretable ; and that the King was frank  
in granting lands as he mycht be persuadit, being facile of his na-  
ture, and thareby he thocht to make gayne of a part of the offerris  
to be maid, as it fell owt indeid ; and tharefore he cawsit the

Lords of the Articles to be sent for to the Kings palice, whare he him self, the Prior of Blantyre, and the Justice Clerk Bellenden, persuadit thayme to grant that all the few maillis of prelacieis sould heirefter apperteyne to the King and his croun. And becaus the King wald deall liberallie with thayme, he promeist that howmekle thair few maillis sould extend to, sa mekle thay sould have allowit bak agayne of the thriddis of thair beneficeis, wharewith the ministrie was accustomat to be payit; whareunto thay war not onlie persuadit, bot war compellit to graunt unto before thay came furth from the palice. And this was sa prevelie endit, that the ministers nather knew thareof, nor yit lipnit for the lyk fraud to be wrought aganis thayme; for the first day of the Parliament, Mr David Lyndesay minister at Leyth, at command of the rest of the brether assemblit in Edinburgh, protestit, that na Prelat, Bishop, Abbot, or Prior, sould have vote in Parliament, bot onlie sik as beris functioun in the kirk, be preaching of the word and administratioun of sacraments; hoiping be this protestation, that the rest of thair plat sould have had the better succes, bot the same was gevin lycht eare unto for that tyme.

Now, the Prelatis, finding thair lands and rents apperantlie to be reft fra thayme, ilk man came in with his severall complaynt, and offerit a pecuniall sowme, for grant of his temporall land heretable, whilk afore was onlie in lyfrent; and as everie land was fundin worthie in valew, so it was appreciat.

Heir it is to be considderit, that geve these temporall lands had bene appropriat to the Croun, as the Chancellor first devysit, it

had bene a great benefite done to the present Prence, and to all his successors in tyme cuming; or geve the money that was gevin to the Prence for thais lands, had been bestowit to a gude use, that any rent yeirlie mycht have bene obtenit for the same, it had bene alsweill done. Bot nather of these came to gude effect. The onlie proffet and commoditie that was obtenit, the Prelatis gat it; for whareas before thay war callit men of benefeces, now thay be callit temporall lords, lyk to the rest of the common sort.

Before this tyme a litill, thair was a plat devysit for the benefite of the Prence, as was pretendit; to wit, that as in all Abbaceis thair was a nomber of monks, that was sustenit upon thair awin severall portions, that prejugait not the Abbots rent, and that the abbots, efter the death of ilk monk, had appropriat the portion to his awin behuve, whareas be the first institutioun, still another sould have bene surrogat to the place; tharefore it was devysit to call in all abbots and uthers prelats that war presidents of convents to a compt, to caus thayme to bestow upon the King, for all tyme bygane, the portions of the monks departit before that day, and siclyk for all tyme cuming. Bot althocht the compt of all this was justlie obtenit, yit it was convertit to na better use nor the formar; whareby the redar may juge whither greater frugality be in the Prence or in the counsallor, and whilk of thayme hes obtenit maist proffet of these devysis. And trew it is, that althocht the Abbacie of Dunfermeling, with the haill rents, teyndis, and casualteis thareof be annexit and appropriat to the Croun,



and that the Prence, be na gude, auld, lovable, or municipall custume, hes at any tyme, or may be him self geve away any part or portioun of his patrimonie, nor yit ever heirtofore was permittit be consent of his Nobilitie, or thre estaits in Parliament licenciat to sell his awin rents, (bot expreslie prohibite,) yit this gude Chancellor hes not onlie obtenit for his part a gude portioun of the lordship of Dunfermeling, that sould all appertene to our noble Princess Queyne Anne be contract of mariage ; bot also the rents and benefecis of the lordship of Dumbar and the erledome of Marche, appertening to the Croun ; and siclyk the superioritie, lordship, homage, and prevelegeis that the toun of Leyth is addebtit for to the Prince ; all that, I say, is convertit unto him, and all auctoreist in Parliament, togither with a new uncumlie custume that never Prince did afore, nor ever was counsallit or permittit to do for whatsoever caus ; to sell, annalie, engage the rents of his Crown for a pecuniall sowme. All thir things ar done, concludit and counsallit be the onlie persuasioun of this Chancellor, wha at this Parliament was prevelegeit to have the tytle, honors and digneteis of the Lord of Thirlestayne. And all the Nobilitie thair present earnistlie upon thair kneysis, with great instance, requyrit his Majestie (be persuasion of the said Chancellor) to be earnist in persute of revenge of his mothers murther committit be Ingland, whareunto thay solemnitlie vowit to assist with men and money, sa lang as ather blude or breath may lest ; and the King for this gave thayme most hartie thanks, and promiseist to do tharein as tyme and occasioun sould permit.

The nixt yeir, in the moneth of Aprile, 1588, Frederick King 1588.  
of Denmarc departit this lyff; and the Lord Maxwell returnit from  
Spayne in Scotland, althoght he had not obtenit the Kings licence  
for that effect. Thair was sent with him ane Capten Sempill, as  
an explorator to try the myndis of men, and to corrupt thayme  
besydis, upoun hoip of a victorie that sould have bene obteynit be  
the Spanish navie aganis Ingland. At this same tyme was cum  
in Scotland the Bishop of Dumblayne, Chesholme, in commis-  
sion from the Pope to the King, bot was never admittit to speak  
him, and tharefore he departit, and his commissioun untauld.

The caus of Maxwellis suddan returne was, becaus Philip King  
of Spayne had preparit a great navie, with a number of men of  
weare, to cum to the coaste of Flanders; at the whilk place thay  
sould have attendit upon the Prence of Parmais reddenes, whom  
thay supponit sould have had landing veshels reddie for thair dis-  
cent in Ingland, and sould have bene personallie with thayme  
himself. Bot when thay war cum, thay fand na thing conforme  
to thair expectation. Maxwell had great hoip, that this hudge  
navie sould have prevailit aganis Ingland, and sa finding opportu-  
nitie of tyme, thoght it not amiss for him to returne, and that he  
mycht have frelie done at hame as he list. Bot evin as that navie  
was frustrat, so was he; for howsone the King understude of his  
arryvall, he incontinent sent to my Lord Hammilton, to my Lord  
Hereis, and to the Knycht of Lochinvar, wha war soverteis for  
Maxwell, that he sould not returne without the Kings licence, under  
a pecuniall sowme. The whilk he repetit of thayme, and was payit.

The Bordorers at this tyme war verie insolent, and a servand of Maxwellis, callit Mr David Maxwell, had fortfeit the castell of Lochmaben. Bot howsone the King understude this, he past first to the east marches and pacefeit all purposes thair, and siclyk to the mydle marches, and last of all to the wast. He sent chargeis to Lochmaben to rander, and he spak the Capten himself, but was refusit.

At the Kings being thayre, an Inglish ambassador was ressavit, callit Sr Robert Carie, fra whome the King socht the support of sum cannons for batterie of the hous, whilk was spedelie grantit, togither with supplie of sum soldiors ; and efter tua shots or thre, the castell was randrit to Sr William Stuart, (wha frawd fullie prameist that thair lyvis sould be saif.) Bot immediatlie the Capten was hangit in presens of the haill camp. Maxwell was apprehendit in Galloway, and led preasoner to Edinburgh, under the custodie of the said Sr William.

Thus all memorie of Queyne Mareis murthor was bureit. The King ressavit thair ambassador, as I have sayd, and be his persuasioun, is becum thair yeirlie pensioner. What honestie the commonweill ressavis heirby, I think the posteritie sall better know than that this tyme can judge ; for mair just occasion of weare had never Prince on the earth nor this had, and yit he hes bayth neglectit the thing that maist of all became him, and the thing that sould have bene a perpetuall honor to his commonweill ; and weare indeid sould never be sa eschewit, that any sclander sould ensew upon our negligence, for geve peax be just and honest, it is in verie

deid the best of all warldlie things ; and yit na thing sould ather be done unjustlie, nor yit sould we purches peax in sik sort, that be intollerable suffering we conqueis unto our selfis perpetuall shayme and ignominie.

This S<sup>r</sup> William Stewart was in his qualiteis and behavior na thing different from his brother, the Erle of Arran ; a testimonie whareof he utterit in uncumlie words, upon a day in the Kings chalmer, aganis Francis Erle Bothuell. The said Bothuell having regarde to the place, sayd na thing for that tyme ; bot within this tyme that Maxwell is his preasoner in Edinburgh, it fortunit Bothuell and S<sup>r</sup> William to encounter with thair cumpaneis, whare Bothuell maid the first onset for the former injurie, accompaneit with a broder of Patrik Maister of Gray, whome S<sup>r</sup> William had dilatit of before ; and efter a light combat, S<sup>r</sup> William was killit owt of hand. Bothuell fled for a certayne dayis, uncallit, unpersewit, and unpuneist for this fact. In the meynetye, great instance and solistation was maid for Maxwell, and he was demittit to retorne hayme agayne in peax.

The wicked examples of unpuneist slaughter, ingendrit sik insolencie in the hartis of the people, that thay finding bayth the King and his officiers sa sleuthfull and negligent in thair offices, that crweltie and murther inressit as a popular seiknes throw all the land ; ane example whareof, conjoint with frawd, I will lay down to your jugement, to decerne thareof as the caus requyris, for a perpetuall testimonie of unthankfulnes, and odious traitorie in all respectis.

Thair be tua famous howsis of antiquitie in the west of Scotland : To wit, Montgomerie of Eglintoun, and Cunynghayme of Kylmawres. Betuix the freynds of thais tua howsis, there hes bene of a lang tyme sa great emulation and invy, not without effusioun of blude on ather part, that althocht bayth the parteis semit fullelie to be satisfeit and aggreit in all poyntis, yit the hous of Cunynghame, be the inventioun of a wicked instrument of that sur-nayme, kendlit up a new rancor in the hartis of the rest of that famelie ; for whereas sum of the Montgomereis war assemblit at a parish kirk upoun a Sabboth day, thinking of na evill to ensew, nor yit intending to invayde any man be way of actioun, thay war stranglie invadit be a greater force of Cunynghames, and without any just quarrell preceeding, or any injurious words past amang thayme. At first a speciall man of the Montgomereis was shot with a pistol at unawarris, and he turning himself suddanlie, rather to eschew a forder daynger nor utherwayis, shot agayne for recompance, and be fortune he slew that same man that had first injurit him. The rest fled and left the deid man lying in the kirk-yarde, and Montgomerie being cetit before the Justice Criminall for the slawghter, he was acquit becaus it was done be his awin defence. The Cunynghames being greavit heirat, maid presentlie a vow, that thay sould be avengeit upon the fattest of the Montgomereis, (for thais war thair words,) for that fact. This vow was sa acceptabill to thayme all, that a band was concludit, subscrivit with the cheifest of thair hands, to slay the yong Erle be whatsumever meyne could be devysit, and that whasoever wald

tak the turne in hand and performe it, he sould not onlie be sustentit upoun the common expenssis of the rest, bot sould also be menteynit and defendit be thayme all from daynger and skayth. At last ane Cunynghame of Robertland tuik the interpryse in hand, whilk he accomplieist on this maner.

Tua yeir before his treasonabill attemptat, he insinuat himself in fameliaritie and all dewtefull service to the said yong Erle, whareby he movit him to tak pleasour without any suspicioun, till he conqueist sik favor at his hand, that nather the golde, money, horsis, armure, clothis, counsall, or vayage was hid from him, that this same Robertland was maid sa participant of thayme all, evin as thocht thay had bene his awin ; and besyd all this, the confidence and favor that the Erle shew unto him was sa great that he preferrit him to be his awin bedfallow. Heirat Lord Hugo, auld Erle of Eglintoun, tuik great suspicioun, and tharefore admoneist his sone in a fatherlie maner to be war of sik societie, whilk without all doubt wald turne to his skayth ; for he knew weill the nature of thais Cunynghames to be subtile and fals, and tharefore willit him to geve thayme na traist, but to avoyd thair cumpany altogither, evin as he lovit his awin lyff, or wald deserve his fatherlie blessing. To this counsall the sone geve litill regarde, bot that was to his paynis ; and the domestic enemie was sa craftie indeid, that he wald attempt na thing during the lyf of the father, for many respectis. Bot within short tyme tharefter, as the noble Erle was passing a short way in pastyme, accompaneit with a verie few of his houshald servands, and evill horsit himself,

Robertland, accompaneit with 60 armit men, came rynnning furioslie aganis him upoun horsbak, and the Erle fearing the thing that followit, spurrit his horse to have fled away ; his servands all fled another way from thair maister, and he was left alone. The horsemen ran all on him, and unmearcefullie killit him with shots of gunnis and strokis of swords. The complaynt of this odious murthor being maid to the King, he cawsit the malefactors to be chargeit to a tryall. But thay all fled beyond sea ; Robertland, wha was the first that maid the invasioun, past to Denmarc, whare he remaynit at court till the King came to Queyne Anne. And becaus nayne of the rest could be apprehendit, the King ordaynit thair howsis to be randrit to the Erlis brother, to be usit at his arbitrement, ather to be demoleist or utherwayis ; and he swore the great ayth that he sould never appardone any of thayme that had committit that odious murther. Yit howsone his Majestie was arryvit in Denmarc, his pardon was demandit of the Queyne for the first petition, and the same was obtenit, and he was resavit in grace thair in presens of thayme all. Tharefter he came hayme in the Queynis cumpany, and remaynis as ane of hir Majesties maister stablers.

1589. In the moneth of August of the nixt yeir 1589, Queyne Anne, doghter to Frederic King of Denmarc, was mareit in Denmarc to King James the 6 of Scotland, be his ambassador the Erle Marshall, wha was directit thair for that effect.

In the end of that yeir the tempest of storme bayth be sea and

land was sa vehement, that many ships pereishit upoun the sea, sa that the passage for Queyne Anne was verie difficill to cum in Scotland ; and the King abayd daylie fra the moneth of August luiking for hir arryvall, whill at last upon the 22 day of October, without lang deliberatioun he embarkit himself, with his Chancellor Maitland, and certayne uthirs of his officiers and courteurs, at the port of Leyth, and saillit to Opsló, whare Queyne Anne was attending upoun fayre wother, and litill luiking for his Majesteis cuming to hir at sik a tempestuous tyme of the yeir ; whare he abaid a certayne short season, and then he past in Denmarc, and returnit not in Scotland till the moneth of Maij in the nixt yeir.

During this his absence, Lodovic Duc of Lennox and Francis Erle Bothuell, war constitute governors of this land conjunctlie, and in verie deid, all this tyme, greater peax, tranquillitie and justice was not hard of a lang tyme before : Saving that Sathan, with his great craft in deseaving of christien people, did assemble certayne of his supposts, sum of the masculine, uthers of the feminine kynd, in the kirk of Northberwick at mydnycht, the last day of October, of whome dyvers war executit to the death ; as naymlie ane Johne Cunynghayme, alias Johne Fean, scoolemaister at Tranent, Agnes Sampson, grace wyff, alias callit, the wyse wyff of Keyth, and dyvers uthers.

The caus of thair assemblie was to rayse stormes in the sea, to stay Queyne Anne to cum saiflie in Scotland. This Agnes Sampson, amang dyvers articles of hir confession, grantit, that Francis Erle Bothuell had dyvers tymes demandit of hir concerning



his awin estait and warldlie succes ; also ane Richart Grayme, sorcerar, confessit the lyk ; whareupon the said Bothuell, efter the Kings returne, was cetit to compeir before the secret counsall, whilk he obeyit, and thus he was immediatlie committit to preason within the castell of Edinburgh, till further tryall sould be takin of him. For the King, at the persuasioun of Chancellor Maitland, suspected the said Bothuell, that he ment and intendit sum evill aganis his person, and remanit lang constant in that opinion dyvers yearis efter. The King wrait to all the nobilitie at dyvers tymes to convene for his tryall ; bot thay all disobeyit, becaus thay knew that the King had na just occasioun of greif, nor cryme to allege aganis him, bot onlie at the instigation of Chancellor Maitland, whome thay all haittit to the death for his prowde arrogance usit in Denmarc aganis the Erle Marshall ambassador.

Indeid the municipall law of Scotland beris, That whasoever salbe fundin to consult with sorcerers, witches or suthesayers, thay sall dée the death. Bot this law was never heirtfore put in practise, and tharefore the nobilitie thocht, that thay would not begin a preparative upon a member of their awin. In the meyne tyme, not lang efter, Bothuell understanding the Kings evill will to increas aganis him, be the malicious narrative of his Chancellor Maitland, as he supponit, he devysit how to escape owt of preason ; and for surenes hereof, he seducit a gentilman of the hous, callit Lawder, maister of the watche, to assist him, as he did, and thay went bayth furth togither.

The nixt yeir was employit in bancatting the Lords of Denmark, that accompaneit the King and Queyne hayme to Scotland, whilk was upon the first day of Maij 1590: And tharefter in trying and examening of Sathans supposts, sik as sorcerers and witches, in great number throw all the cuntrie.

Efter this, Francis Erle Bothuell, accompaneit with certayne gentlemen, came to the Kingis palice at Halyruidhous, weill in-armit, at sevin howris at evin; upon this intent, as apperit, not onlie to mak the King his captive, bot also Chanciller Maitland, whome he deidlie haittit: And for the better performance of his purpose, he had cawsit to be careit with him certayne great fore-hammers, wharewith the King and Queynis durris war stranglie strukkin at; that whither the King had sowpit in his awin chalmer a part, or with the Queyne in hir chalmer, he sould have bene led captive in thair hands. Thair was in cumpany with him, for the performance of this fact, James Dowglas of Spott. In the meyne season, ane S<sup>r</sup> George Home, laughfull sone to Alexander Home of Manderstoun, was in great credence at court with the King; and it fortunat that a litill before this attemptat following, George Home of Spot, uncle to the said S<sup>r</sup> George, and father-in-law to James Dowglas, was slayne be certayne wicked men of the surnayme of Home and Craw, and it was allegeit be S<sup>r</sup> George, that James Dowglas of Spott was the author of that murther, and therefore he was cetit before the secret counsall, and thré men war apprehendit, that war suspect to have bene actuallie at the

murther, and war straitlie keapit captive within the palice of Halyruidhous; sa that James Douglas, whither to keap himself from sclander, or to releve his men from skayth, for bayth of thaymesould have bene put to torture on the morne, as witnessis for confessing sa far as thay knew of the mater; and he being a spur to Bothuells attemp, howsone the said Erle was entrit with his armit men within the utter court of the palice, immediatlie James Douglas brak up the preason whare his men lay, and tuik na further payne upon him for the performance of Bothuells pretence, bot went away with the first, and broght his men saillie with him. It was allegeit that James Dowglas had directit a gentilman, callit Aflek of Cumlachie, with golde to thir foirsaidis murtherers, that thay sould the mair willinglie tak the purpose in hand: He was put to torment, as compellit to confes, bot yit nothing. He wes maid impotent of baith his leggis, was demitted home with that loss, and deit thereafter within few dayis of extreme payne. It was supponit that Chancellor Maitland was foresene of this mater be adverteisement of James, not ane half hour before, whareby his lyf was saif fra that apperant invasioun: for immediatelie before suppar, he entrit the Chancilers hall, he spak with him, he drank at the copburde, and then went his wayis: Sa that when thay war frustrat of entrie at the King and Queynis chalmer dur, thay went last of all to the Chancillers hous, whare thay war repulsit, bayth be force of the durris, and shot of muscats, that hurt sindrie of thayme. At laast the courteurs assemblit another way, and with stavis and uther invasive weapons, repulsit Bothuell, and tuik nyne of his

men, wha war all hangit on the morne, on a new gallous that was erected fornent the palice yett for that purpose ; and this was done upon the 28 day of December 1591.

The Chanciller, mistrusting certayne courteurs of this interpryse, not without great occasioun, thocht necessar to fortifie himself with assistance of freyns ; and tharefore he solistit the King for a remission to Sr Robert Ker yongar of Cesfurde, for the odious murther of William Ker of Ancrum, whilk was obtenit. This murther was committit in Edinburgh under silence of night the yeir before, and the committer was reteirit to Ingland, and callit bak for the caus foirsaid ; in whom the Chanciller confidit as to the husband of his brother doghter. And for the mair saiftie of his persone, he thocht expedient to duell in Edinburgh, guardit with soldiors on the nycht, and honest freyndlie gentilmen on the day, in great nomber.

The dewtie of all, Prence, Magistrat, and King, is equallie to do justice to all men, ever having respect to the caus, and not to the persone ; for geve a juge sall have mair respect to freyndship then to the equitie of the caus, the jugement is corruptit. And as the gude sheipbird is at all tyme, bayth day and night, a diligent watcheman over his flock, that nayne of thayme ather sall go astray from the cumpany, or that the ravenous wolf or gredie fox sall cum to annoy thayme ; evin sa aught a King to be, whais office is lyk to Goddis upon earth, bayth to puneish the wicked transgressor, and to rewarde the weildoar. He sould not be negligent or slipperie, his earis sould alwayis be oppin to heir the

complaynt of the offendit and hurt persone ; so sall he be fearit of the evill, and salbe belovit of the gude. Bot when negligence has so overcum him, he lowsis the brydill to all mischeif in his cuntrie, whareof I have tauld you sindrie examples, at lenth set down to your jugement ; and another verie notable yit remaynis, whilk I beleve ye sall think comparable to any of the rest, and peradventure, all circumstances being weill considderit, ye will find this mair odious then all the rest.

1592. Thair be tua famous howsis in the north of Scotland, to wit, Huntlie and Murray. The hous of Huntlie is verie mightie in men and guddis, and so is Murray, bot not comparable to the uther, as all man knawis. Trew it is, that nather of thir Erlis war bellicous men ; bot yit Murray was the maist weirlyk man bayth in curage and person, for he was a cumlie personage, of a great stature and strang of bodie lyk a kemp. So as disdayne and invy that still invadis the mynd of man to withdraw him from freyndlie tranquillitie, did also assailye the gude mind of the Erle of Murray ; the instrument wharof was ane Campbell of Caddell, knyght, a gentilman of that cuntrie, wha the maist part of his tyme had spent at court, whare he had learnit all subtelteis thareof, not onlie to his awin great hurt, bot also to the great skayth of his posteritie. This knyght of Caddell was very familiar with Chancellor Maitland, fra whome he ressavit instructions to engender disfreyndship betuix Huntlie and Murray, and consequentlie weares, that destroyis all. The whilks instructions he accompliest

verie learnitlie, and so inflammit the ane aganis the uther, that as upon a certayne day, Huntlie came accompaneit with dyvers of his freyns, in the sight of the castell of Tarneway, (wharin Murray maid then his residence,) and he persaving that, commandit his men to shute, whare was slayne a gentilman callit Gordoun of Clunie. Heirefter the weares inccressit, so that at sum tymes Huntlie, and at sum tyme Murray was victorious ; till at last Huntlie tuik occasion to cum to court, whare he and Chancellor Maitland war sa familiar, that, first for favor of Huntlie, and nixt for the hatred that the Chancellor had conseavit aganis the nayme of Stewart, for Bothuels saik, he devysit to persuade the King, that it war necessar that thais tua noblemen war agreit ; for geve his Majestie sould have ado aganis forayne nations, he wald accomplis na gude work having his subjects in devision ; and tharefore he willit the King to send my Lord of Ochiltrie unto Murray, and desyre him to repayre to any part nar the court, becaus Huntlie was then present with him, to the end his Majestie mycht the mair easelie reconcile thayme. Murray having hard the message, simplie belevit the same, and the messinger knawing na thing of the frawd, thay came bayth together to apart in the province of Fyff called Dunebirsill, whilk Murray had chosin for his residence. Tharefter Ochiltrie departit from him toward court, to adverteis the King and the Chancellor of his suddan obedience. Bot immediatlie tharefter, the King, be instegatioun of the Chancellor, gave commission expres command and charge to all the boittis of the Queynis ferrie on bayth the syddis of the rever of Forth, to be

all in reddenes on the sowth syd of the rever, agayne the sevint day of Februar. Thus, as the purpose was devysit be the said Chancellor and Huntlie, the boits war all reddie be command of the Kings letter, and ressavit Huntlie, wha immediatlie with all expedition and diligence passit the rever with horsis and men saiflie; and tharefter poistit towart the hous of Dunebirsill, wharin Murray, with the Lady his mother, and quyet howshald war for the tyme, accompaneit with the Shireff of Murray; and thayre, with fyre and sworde destroyit thame baith to the death, and then went his wayis northwart. Efter this, the gude Lady of Downe, mother to Murray, cawsit embawme his corps, with the corps of the said Shireff, and cawsit thayme be careit to Leyth. Tharefter she came, and demandit for justice at the King, wha promiseit it sould be obtenit. Huntlie was commandit to enter his person in preason, bot was prevelie assurit that he sould not be harmit, as the end declarit; for althocht he enterit in the castell of Blaknes the tuelft day of Marche, he was demittit upon the twentie day of that same moneth, expres aganis all justice or equitie, and in particular aganis the common lawis of Scotland. The Knycht of Cadell was also treasonablie killit in the north be ane Killepatrik Oig, at the instigation of Johne Campbell of Ardkinglas; wha tharefter was apprehendit be the Erle of Argyle for this fact, and provin giltie thareof, be the deposition of ane Johne Oig; wha declarit also of a certayne contract maid betuix the Erle of Huntlie, the Laird of Glenorchie, Archebald Campbell of Lochnell, James Campbell yongar of Lawers, and dyvers uthers of the Erle of

Argylis vassals, whareby ather of thayme war bund to uthers *hinc inde*, to destroy and murther the Erle of Argyle and the Knycht of Caddell. This contract was maid be ane Mr Johne Archebald, and delyverit to Ardkinglas to be keapit be him. At this fact the ministrie and nobilitie war offendit in hairt bayth aganis the Prence and his counseller : And in speciall the Erle of Atholl was so commovit, that he maid wearis aganis Huntlie, and that be the speciall instigatioun of Malcolme Tosh, a man unconstant, false, and double myndit, be the report of all men.

I have tauld yow afore certayne proceidings of Bothuell, and the event thareof, and althoght that nather was the interpryse commendable, or conforme to any gude reason, sik was also the succes ; and not contentit with this former, he assailyeit also the second tyme. Bot all man that attemptis any gude wark, sould first consider whither geve he have a gude caus to begyn it upoun ; nixt he sould consider the cumpany and thair qualeteis, whome he drawis in societie with him self ; and last of all, sould consider that he conqueis sik honestie be his interpryse, that be gude fayme he may be renownit efter his death. Bot when the ingyne of man is sa addictit to licencious libertie and pleasors of the flesh, that nather is God regairdit in his benefetis, nor the Prence and his lawis reverencit, speciallie now in this tyne of the lycht of the evangell, as is pretendit, nather yit amendement of lyf that can be persavit, I leve all to the jugement of God, wha, be his eternall providence, dois governe bayth the heavin and the earth ; and thus returnis to my purpose.



In the moneth of Junii, Frances Erle Bothuell, understanding the King to be at quyetnes in Falkland be the secret adverteisement of certayne courteurs, and that Chanciller Maitland was in previtie at Lethingtoun; and tharefore geve he pleasit to cum with any sufficient number of men, he wald find the King at his awin pleasure, ather to grant him pardon perforce, or els to leid him captive whare he list; whareunto Bothuell gave sa great credcit, that incontinent he assemblit a great number of suspect men of the bordors of Annandaill and Liddisdaill, with sum Inglishmen, upon the water of Esk of that same stamp, and raid from thence to Falkland, whare Patrick Maister of Gray, and the laird of Balwerie met him, with a reasonable number of inarmit horsemen. Bot when thay came to the Kings palice, thay fand not sik redenes as was supponit, bot be the contrare certayne people provydit to resist, sa that Bothuell was repulsit, and he to his perpetuall ignominie, fled away with shaymefull dreador; and before thay departit, thay spulyeit the Kings stable, and reft many horsis, bayth out of the toun of Falkland, as also furth of the park.

Of this jurnay war suspect the Erle of Angus, the Erle of Arroll, the laird of Johnestoun, and Sr William Stewart of Howstoun knyght. The tua Erlis war apprehendit and committit to preason within the castell of Edinburgh. The King followit to Drumfreis with his armie, and sent letteris to Annandaill and Liddisdaill, commanding all thayme that assistit Bothuell, to enter and shaw their obedience at a certayne day, as naymlie, Johnestoun, Bonshaw, William Kynmonth, and sindrie uthers;

whilk thay obeyit, and the King was sa pacefeit, that within short tyme tharefter proclamation generall was maid to the benefite of all thais that maid actuall residence with Bothuell, promesing remissions unto thayme geve thay wald cum in to crave it at the Kings hand, whilk thay all did for the maist part, saving onlie James Dowglas of Spot, and M<sup>r</sup>. Johne Colvill.

Notwithstanding of thir proceidings, Bothuell ceissit not to have intelligence with certayne of the courteurs, and that with thais of greatest credence, as naymelie, S<sup>r</sup> Alexander Lyndsay Lord of Spynie, the laird of Burlie, and the laird of Logy ; whareof Spynie was accusit before the King be S<sup>r</sup> William Stewart of Howstoun knycht, for trafficking with Bothuell ; the whilk nottheles he constantlie denyit, and tharefore offerit to feght with him, for his honestie in that mater, and the Knycht acceptit of the same. This accusatioun was devysit for discourting of Spynie, to mak place to the intrants, as ye sall heir anon ; for Chanciller Maitland and Spynie war bayth upon ane opinion aganis these intrants that I am to speik of ; the particulareteis I will omit till a better occasion, becaus thay ar not competent for this place. Yit the King, becaus he did interelie favor Spynie, willit him to reteir himself frome court for a season, and this he obeyit.

Efter this, the King maid his residence in Dalkeyth, whare the Duc of Lennox, the Erle of Mortoun, Lord of Dalkeyth, the Erle of Argyle, the Lord Thesaurer, [Maister of Glammis,] and the Lord Home, all thré sonnes in law to this Erle of Mortoun, remaynit thair for cumpany to the King ; whilk societie Chanciller Maitland was

greatlie effrayit of; and althoght his credence was sa great in court with the King at his first cuming to Dalkeyth, yit howsone that he perfytlie understude that this forenaymit cumpany was lyk to contenew, he wyselie preissit to reteir himself in peax : And upon a day, the Lord Duc, the Lord Home, and the Lord Treasurer cuming with thair cumpaneis from Edinburgh, and the said Chancellor from Dalkeyth, thair was a great apperance that the saidis Lords wald have invaydit the Chancellor at a strait of the way : Bot he commandit his cumpany to reteir owt at a syd of the way, and to shaw na evill countenance, and so he escapit that apperant daynger, and past to Lethingtoun ; and within a few dayis, understanding forder of thair evill myndis aganis him, was constraynit to shift himself wastwart, with the Provost of Lynclowden and the knycht of Drumlanrig, whare he remanit secretlie for a season. So this cumpany having anis seperat the Chancellor from the King, broght furth of preason the Erlis of Angus and Arroll, to fortifie thair factioun ; and the Erle of Argyle sent for a number of futemen, wha abaid be the space of a moneth in Dalkeyth, to contene the King within thair lemitis, under the conduct of the Larde of Lochnell ; and this was done in the moneth of August.

Be examples we may learne, how that tyme in short space dois exalt men to digneteis and honors, and at another season dryvis thayme to extreme calamitie and miserie, and speciallie thais that hantis the courtis of Prencis : For thir ar moste lyk unto voittis that ar gevin in oppin counsels and assembleis, for evin as ac-

according to the arbitrement of the Jugeis that sit in counsall, thay prononce thair sentences sumtyme lyk unto brass, and at uther tymes lyk unto golde; evin sa all thais that puttis maist confidence in the court of a Prence, be at sumtyme happelie exaltit, and at uther tymes miserable dejectit, the veritie whareof may be learnt bayth in preceeding and following examples in nomber.

In this close tyme, it fortunit that a gentilman callit Weymis of Logy, being also in credence at court, was delatit as a traffeker with Frances Erle Bothuell; and he being examinat before King and counsall, confessit his accusatioun to be of veritie; that sundrie tymes he had spoken with him, expreslie aganis the Kings inhibitioun proclamit in the contrare; whilk confession he subscrivit with his hand: And becaus the event of this mater had sik a succes, it sall also be praysit be my pen, as a worthie turne, proceeding from honest, chest love and charitie, whilk sould on na wayis be obscurit from the posteritie for the gude example: and tharefore I have thocht gude to insert the same for a perpetuall memorie.

Queyne Anne, our noble Princess, was servit with dyvers gentilwomen of hir awin cuntrie, and naymelie, with ane callit Maistres Margaret Twynstoun, to whome this gentilman, Weymes of Logye, bure great honest affectioun, tending to the godlie band of mariage; the whilk was honestlie requytit be the said gentilwoman, yea evin in his greatest mister. For howsone she understude the said gentilman to be in distres, and apperantlie be his confessioun, to be puneist to the death; and she having privelege to ly in the Queynis chalmer, that same verie night of his accu-

satioun, whare the King was also reposing that same nycht, she came furth of the dur prevelie, bayth the prencis being then at quyet rest, and past to the chalmer whare the said gentilman was put in custodie, to certayne of the garde, and commandit thayme that immediatlie he sould be broght to the King and Queyne; whareunto thay geving sure credence, obeyit. But howsone she was cum bak to the chalmer dur, she desyrit the watches to stay, till he sould cum forth agayne; and so she closit the dur, and convoyit the gentilman to a windó, whare she ministrat a lang corde unto him to convoy himself doun upon, and sa be hir gude cheritable help he happelie escapit be the subteltie of loove.

The ministrie of Edinburgh devysit tua purposes, whilk thay had bayth in heid at a tyme; ather thinking to prevail in ane, or els in bayth, as tending to the glorie of God as they pretendit. The ane was to discharge the marchands of Edinburgh from hanting and resorting to Spayne; the uther was, that na mercat day sould be haldin in Edinburgh upon the Monday for selling of woll and sheip skynnis; whareat bayth merchands and craftismen war greavit. And trew it is, that the ministers at na tyme proponit thir maters to be reasonit or disputit be the provost of the toun and his counsall, to whome it speciallie appertenit: Bot, as thay did, thocht it mair expedient to devulgat the mater oppinlie in the kirk, in presence of the haill people, allegeing that the marchands could not mak vayage in Spayne without danger of thair sawlis, and tharefore willit thayme in the nayme of God to absteyne: And indeid, at dyvers tymes this was oppinlie requyrit, as

I have sayd, whill at last thay finding that the marchands contewit in thair tred as afore, thay then cryit owt that unles thay wald forbear, thay sould expreme thair naymes to the people, and therefore cetit dyvers marchands before thair sessioun, and thair commandit thayme to abstene. The marchands seing this, gave in thair complaynt to the King, and tauld how thay war dischargeit be the ministers, but wald disobey thareunto, geve his Majestie wald grant thayme libertie to pas, whilk was grantit; wherat the ministers war sa greavit, that thay boistit the marchands with excommunication. Bot the provost and counsall of Edinburgh intercedit, and stayit that purpose; becaus that to the marchands dyvers Spanyartis war addettit, whilk wald never be repayit unles thay went thaymeselfis to mak compt and reckning with thame: and siclyk dyvers of thayme war awand to creditors thair, and in that respect, till thair comptis war perfytit and endit, thay could not abstene from travelling; and, therefore at the nixt convention of burrowis thay sould intreat upoun that questioun: Sa that for thir respectis, the ministers had patience for that tyme, utherwayis this mater had turnit to a great popular scisme.

Bot the uther consait had almaist have maid a worse end; becaus it was sa prejudiciall to the commonwealth and estait of the haill marchands and craftismen, to wit, the abolition of the Mondayis mercat, whilk was the onlie speciall mercat day of all the weik in respect of the rest. The reason that the ministers had for thayme was, that all men that came to the Mondayis mercat, did addres him to his jorney upon Sondag, whilk day sould be

sanctefeit and keapit holy ; bot amang many great unfallible reasons, it was fundin, that the maist part of the mercat folkis did never addres thaymeselfis to jorney whill Monday morning, and tharefore the mercat sould not ceis ; and as to thais that came far of, it became the pastors of thair parochin to hinder thayme. And besyd all this, that mercat day was auctoreist to the toun be the Prences of ancient tyme, and tharefore it became not a subject to consent to the abolition thareof, unles the mater wer movit in presence of the thrie estaits in Parliament.

The ministrie of Scotland finding the religion now professit to be estableist be a law, thought necessar that all thais professing the Romaine religion, sould ather be compellit to embrace that thair religion, or els that the censure of excommunication sould be usit aganis thayme. And whasoever incurris the daynger thareof is gevin over in thir dayis be the ministers, in presens of the haill people assemblit at the kirk, in the hands of Sathan, as not worthie of Christien societie, and tharefore maid odious to all men, that thay sould eschew his cumpany, and refuse him all kynd of hospitalitie ; and the persone thus contenewing in refusall be the space of a haill yeir, his gudis ar decernit to appertene to the King, sa lang as the disobedient levis.

To mak obedience to this estableist religioun, amang many uthers, was ane Mr George Ker, doctor in the lawis, requyrit be the presbytrie of Hadingtoun to adhere thareunto, whilk he refusit ; sa that the minister at Hadingtoun pronouncit the sentence of excommunication aganis him ; and he considdering that heirby he

could have na quyet residence within his native cuntrie, deliberat to pas beyond sea ; and tharefore he addressit himself to the toun of Aëre, to have tayne shipping with Robert Jameson burges thair, whais ship was then lying at the Fairlie Rayd ; and Mr George being in the Ile of Cumray, attending upoun fayre wynd and intelligence from the ship, was ombeset be ane Maister Andró Knox, minister at Paislay, accompaneit with the nomber of 24 armit men, and brocht bak perforce to the toun of Aëre with his servand, and delyverit to my Lord Ross ; fra thence to my Lord Hammiltoun, and last of all was convoyit to Calder. And howsone the intelligence thareof came to Edinburgh, immediatlie tharefter, being upon a Sondag, the ministers maid sa short sermons as thay war not accustumat to do ; and in the meyne tyme sa animat the people to pas furth for the saif convoy of that simple preasoner, whilk thay suddanlie obeyit in armure, bayth on hors and fute. At that same season was apprehendit tua uther gentilmen, that war bayth excommunicatit of before, the ane callit David Grayme of Fentrie, the uther Barclay of Ladyland : All thir thré war incarcerat within the tolbuyth of Edinburgh in the moneth of December.

The minister at Paislay having apprehendit the preasoner, thought gude also to searche the ship for wrytings ; wharein he fand a great packald, directit partlie from noblemen, and partlie from jesuits in Scotland, to Spayne and uther partis of France ; and indeid the maters of greatest consequence was obscurit be blance, subscrivit be the Erle of Huntlie, the Erle of Angus, and the



1592.

THE HISTORIE OF

of Arroll, and be Achindoun knyght, oncle to Huntlie; the  
war on this forme:

Imprimis, tua missive billis directit to the King of Spayne, ane  
subscryvit

*De vostre Majesté tres-humble  
et tres-obeisant serviture  
François Counte D'Arroll.*

Another on this maner,

*De vostre Majesté tres-humble  
et tres-obeisant serviture  
Guilliaume Counte D'Anguss.*

Item, another blanc subscryvit be thayme all four, as it  
be forme of contract or oblegatioun as followis conjunctie,—

*Gulielmus Angusiæ Comes,  
Georgius Comes de Huntlie,  
Franciscus Arroliæ Comes,  
Patritius Gordoun de Achindoun Miles.*

Item, a blanc subscryvit a part be  
*Franciscus Arroliæ Comes.*

Ane be

*Gulielmus Angusiæ Comes.*

Erle of Arroll, and be Achindoun knycht, oncle to Huntlie; the  
blancs war on this forme :

Imprimis, tua missive billis directit to the King of Spayne, ane  
subscrivit

*De vostre Majesté tres-humble  
et tres-obeisant serviture  
François Counte D'Arroll.*

Another on this maner,

*De vostre Majesté tres-humble  
et tres-obeisant serviture  
Guillaume Counte D'Anguss.*

Item, another blanc subscrivit be thayme all foure, as it war  
be forme of contract or obligatioun as followis conjunctie,—

*Gulielmus Angusiæ Comes,  
Georgius Comes de Huntlie,  
Franciscus Arrolæ Comes,  
Patritius Gordoun de Achindoun Miles.*

Item, a blanc subscrivit a part be

*Franciscus Arrolæ Comes.*

Ane be

*Gulielmus Angusiæ Comes.*

And uther twa be

*Georgius Comes de Huntlie.*

Item, a packald of stampis signatit, of Arrols armes 3 ; of Anguss armes 6 ; of Huntleis armes 4.

I maid mention afore of the Erle of Athols wearis aganis Huntlie, whilk afore this tyme a litill war growin sa het, that the King was counsallit to send this Williem Erle of Angus, with powar and command to all the Kings subjects beyond Forth to pas with him as lieutenant, to suppres bayth thair insolenceis, and to command thayme to enter in preason, whilk thay bayth obeyit. And as he had pacefeit thair great furie, and was cuming bak to rander compt of his proceedings to the King, conforme to his Majesteis commission gevin unto him, behauld this foirsaid accident is fallin owt, bayth besyd his expectatioun, and besyd his knowlege, till he was certefeit be the King at Alloway, and was willit be him not to cum to Edinburgh, unles he wald be glayd to be layd in preason. Bot he tuik litill regaird to that admonitioun, thinking that na subject wald interprese the lyk aganis him during his Majesteis absence ; and tharefore he came to Edinburgh on Monday the first day of the nixt new yeir at evin ; whare thair entrit upon him within his logeing, a number of the men of Edinburgh weill inarmit, and removit from him all his servands, ane onlie exceptit, keapit stark watche about and within the logeing all that nicht, and upon the morne thay compellit him to en-

ter in preason, be force of thair great multitude, within the castell of Edinburgh ; and he within certayne dayis being examinat, be Lords Commissioners rather for the Kirk nor for the King, upon the blanc subscrivit be him, denyit the same ; bot upon the 14 day of Februar nixt, rycht craftelie he escapit furth of preason.

Heirefter the ministers of Edinburgh sent thair previe writtings to all thair brethrene, at the least to the maist speciall of thayme within Lothien, Teviotdaill, Clyddisdaill, Tweddaill and Fyff, desyring thayme to solist the noblemen, gentilmen, barrons and burgessis within thair shyris, to assemble at Edinburgh the 8 day of Januar instant, to consult upon this accidentall mater, and upon all uther maters concerning the kirk and estait thareof ; and in lykmaner to cum thaymeselfis, or els to send a commissioner fra ilk presbiterie ; whilk thay obeyit. Thay solistit also the Lords of secret counsall, wha war in Edinburgh for the tyme, to wit, the Maister of Glammis Lord Treasurer of Scotland, the Justice Clerc callit Cokburne of Ormestoun, the Clerc of Register, Sr Robert Melvill, Sr George Home, and Sr Johne Carmichell, knychtis, to adverteis the King, wha was at that tyme in Alloway with the Erle Mar and his young wyff Maistres Marie Stewart, sister to Ludovic Duc of Lennox, to cum to Edinburgh for the tryall of this purpose ; and so it was thocht gude, that Sr Johne Carmichell and Sr George Home sould be directit from the counsall to the King ; wha upon thair arryvall, with advyce of Mar, tuik purpose to cum to Edinburgh ; whare all the mater at his cuming being delatit unto him at lenth, partlie be Maister Bowes,

ambassador for the Queyne of Ingland, and partlie be M<sup>r</sup> Robert Bruce prencipall minister at Edinburgh, that the cuntrie was in apperant daynger of Spanyartis, to be broght in be the fore-naymit Erlis being papistis, and thareby bayth his croun to be in daynger, and the estableist religioun in hazard ; He ansuerit, that as he was be the mearcie of God traynit up in that trew religioun, sa his intentioun was, still to persevere to the end of his lyff, and to resist aganis all thais that wald profes the contrair ; and tharefore he desyrit the assistance of his weilwilling subjects of all estaits to concur with counsall and help.

A litill before this tyme, a conventioun of the nobilitie and barrons war ordanit to meat at Edinburgh agayne the 15 day of Januar, to intreat upon sik maters as sould be concludit in Parliament to be haldin the tent day of Aprile following. Bot becaus this accident fell out before hand, and the King was haistit from his pastyme sonar nor he thocht to have bene ; at the first meating he seamit not to be content with the great conventioun of the Barrons, bayth in greater number, nor according to thair custume, and soner nor thay war requyrit be him ; allegeit that he fand thayme never sa obedient to conveyne at his command, nather in tyme nor number ; yit in end he usit samony plausible wordis, whareby he first concealit his wraith, as also he semit to satisfie thair expectatioun sa far as he could be fayre wordis ; and tharefore he ordanit thayme to convene and devyse what gude ordor thay pleasit to be requesit for puneishment of the captevis and suspect persons ; for with gude will and dewtie he sould stand to

it. And in end he requyrit of the Barrons and Commissioners thair assemblit of zeale, and at command of the ministers of Edinburgh, as I have said, what offer thay wald mak him of service and assistance at that tyme, for prosecuting of the caus generallie, and in particular for the suretie and gaird of his persoun : Item, how Jesuits and traffekking Papistis may be searchit and presentit to justice, and to whome sall commissioun be gevin to that effect : Item, what forme of persute salbe usit aganis the uther persons dilatit and suspect, alsweill be law as besyd law, geve ather thay compeir, or be inobedient ; and how justice sall proceid in this mater, unhinderit, or interruptit be solistatioun, and that under a great pecuniall payne.

To thir demandis ansuer was gevin in writ, In the first be the Barrons of Lothien, afferming that thay sould attend upon him during the diligent tryall of the persons alreddie apprehendit, and sould contribute to the payment of a hundreth horsemen for the tyme of necessitie ; that is to say, incace thair be any disobedient persons wha will not compeir and be answerable to the lawis.

The Barrons of Fyff desyrit an effectuall dealing in the common caus, whilk, as they allegeit was to lang delayit ; and tharefore for thair part wald contribute to the furnessing of a hundreth horsemen ; and the burrowis in generall promiseist to contrebut to the furnessing of a hundreth futemen.

The Barrons of Teviotdail, Tweddail, and Forrest, not onlie offerit to remayne in person with competent nomber, for suretie of the Kings persoun, and furtherance of the gude caus, bot also

to furneis for the sustentatioun of the number of gairde foirsaid. Thay concludit all in à voyce, that the Captens sould be chosin be the Barrons and Burrowmaisters, and according to thair discretioun the wayges to continew ; upon this condition onlie, that it sall not prejugé thair prevelegeis in tyme cuming ; for thay find that the captens and soldiours may be sustenit upoun the reddiest of the guddis and geir of rebellious persons.

Johne Lord Maxwell, for his gude service done to the King at his last being in Drumfreis, (whareof I have maid mentioun afore,) obtenit of the King, be procurement of Chanciller Maitland, an ample regall powar to hald Justice courtis in Galloway, Nithisdail and Annandail ; wharewith the Barrons of thais shyris war sa offendit, that thay came to the King dyvers tymes to playnt, declaring playnlie, that geve his Majestie war to ryd personallie to execut justice throw all the land, he could do na mair nor he hes gevin in powar to his subject, whilk was nather tollerable nor conforme to reason ; and tharefore, unles he wald call Maxwell before him, and discharge that commissioun, thay assurit his Majestie, that thay wald all concur and resist to Maxwell. And as Maxwell was cum to Edinburgh to answer for himself, upon the second day of Februar, he came to sermon in S<sup>t</sup> Gelis Kirk ; whare came also efter him, in and upon that same furme, the Lord of Dalkeyth, intitulat Erle of Mortoun ; and becaus Maxwell was alredie set down in the first place, Mortoun sat doun nixt him, becaus he could nather cum by him for straytness of the place, nather above him for lack of rowme. Thair was in cumpany with him his

sone Archebald Dowglas, wha was heighlie offendit that his father, being a Nobleman of eadge, sould have ane inferior seat to Maxwell, and tharefore he preissit to prefer the father perforce ; bot he was repulsit be Maxwellis men, wha war thair in great number. The people seing this, was effrayit and rayse with a great noyse. The Magistrats convenit, and removit thayme from the temple to thair awin logeings, and be this meyne thay war sepe-ratit for that tyme.

The caus of this gruge is this. James Erle of Mortoun, sum-tyme Regent of Scotland, was maid proscrip be the law, as ye have hard : Tharefore the King gave in gift to the Duc of Lennox, the lordship of Dalkeyth, and to Johne Lord Maxwell, the Erledom of Mortoun. Bot the former Erle of Mortoun, in his tyme, maid a chartour tailyé of the Erledom of Mortoun, to succeid to Archebald Erle of Angus, and to his airis maill laughfull ; and another tailyé of the Lordship of Dalkeyth, to the Laird of Lochlevin, and to his aris maill laughfull. He had to wyff ane of the doghters of the Lord of Dalkeyth ; Duc Hammiltoun mareit another ; and the Lord Maxwell mareit the thrid, of whome is proceidit this Lord Johne : Sa that efter the proscription of Mortoun without laughfull aris, he being the sisters sone of the laughfull heretrix of Dalkeyth, and onlie ayre narrest of lyne that was then in favors with his Prence in Scotland, (for the maist speciall of the hous of Hammiltoun war then baneist,) it pleasit the King to bestow the lands of the Lordship of Dalkeyth to the Duc of Lennox, as I have tauld yow in the begynning ; and then Maxwell maid this narra-



tive to the King, that he had gevin away a gift that he had na powar to geve; becaus the Lordship of Dalkeyth could not appertene to the defunct Mortoun, that wantit laughfull airis, but behuivit to appertene to the airis of the just awner, wha was Mortonis wyff; and nayne was then in Scotland to acclayme it bot he or his mother, wha was then alyve, and of powar to enter aire to hir sister be the commoun law of the cuntrie. This mater being weill reasonit, it was fund that the Lord Duc had the worst part; and therefore he mayd excambioun with Maxwell, that he sould enjoy the Erledome of Mortoun, and himself the Lordship of Dalkeyth. And now becaus the Erle of Angus had tailyeit the Erledom of Mortoun to Lochlevin, he is now callit Mortoun, and Maxwell still retenis the honor and dignitie of Mortoun for the reason fairsaid.

Amang dyvers gentilmen of the Kings court, thair is ane of na small reputatioun, callit S<sup>r</sup> James Sandelands, tutor of Calder, and the pupill of that hous of Calder is aire to umquhile James Lord of Torphichin, Knycht of the Rhods. This Knycht being mareit, maid an heretable rycht to his wyff of the Tempill lands, callit Halyairdis in Lothien; as also of thais same lands he maid another dispositioun, partlie be rentall, partlie in fewferme to the tenants and laborars of the grounde, and that fraudfullie to collect in great sowmes of money; and efter his deceis, she mareit to ane Mr Johne Grayme, ane of the Senators of the College of Justice, to whome and to his airis, she transferrit all sik heretable title and rycht that she had to thais lands; whilk was decernit be

the rest of the number of that College to appertene to him, and all the rycht that the tennents did pretend, was estemit to be null : And trew it is, that thir possessors and lauborers of the grund war rentellit in thais lands be the Lord of Torphichin, before that he mayd any heretable title to his lady : and efter the heretable title maid to hir, he maid another heretable title to the possessors, sa that the first of this forme behuivit to prevaile above the second ; and the auld custume of Scotland was, that possessors of Kirklandis, being rentallit, war never removit, bot war estemit as heretable possessors, for payment of thair dewteis. Bot in this mater this frawd was usit, becaus of the vertew of the rentall, as I have said : To wit, the Lord of Torphichin assemblit togither the tennents of the lands, and desyrit thayme ather to stand content with thair few charter, or els with their rentall, and to accept of the ane, and to renounce the uther. To the whilk, efter deliberatioun, thay ansuerit, that thay wald renonce thair rentall ; whereupoun instruments war tayne in the hands of a Notar be the Lord, as was allegeit. Bot when the Notar was callit to a compt, he confessit the trewth, that never sik a conventioun was, bot that onlie he was persuadit thareunto be William Grayme, brother to this Senator, and largelie rewairdit in money for the same ; and the Notar, for this falset, was hangit in Edinburgh. And becaus the tennents war to acclayme warrandice of the Knychtis aire for the rycht that was bestowit upoun thayme, whilk apperantlie be the common law, wald be verie prejudiciall to his yeirlie rent and haill leving ; this tutor aforesaid, to saif his pupill and nevoy

from inconvenient, devysis to kill this Senator ; and tharefore he entrit in societie with Lodovic Duc of Lennox, upon the 14 day of Februar, whome he persuadit to assist to that tragedie ; and first had obtenit a command of the Prence to charge the Senator to remove furth of Edinburgh beyond the rever of Forth ; and upon that same day efternone, as he is reddie with obedience to re-teir, and was past furth of the toun toward Leyth, the Duc and S<sup>r</sup> James followit with expeditioun, and thair in the hie way killit him. Thair was also killit at that same instant a worshipfull gentilman, S<sup>r</sup> Alexander Stewart of Newtounleys, Knycht, in the Duc his cumpany. Efter this fact they returnit to Edinburgh and convoyit the King to his palice of Halyruidhous, as thocht thay had committit na sik cryme ; whilk semit verie odious in the sight of the people.

David Grayme of Fentrie was beheadit upon the 16 day of Februar, verie seiklie in bodie, oppressit with a bludie flux ; wha gave testemonie be a lang letter, writtin and subscriyvit be his awin hand, direct to the King, making mentioun, that the forenaymit Lords had tayne the burdene bayth for thaymeselfis and uthers Catholics, to ressave sik a number of soldiors, as the King of Spayne and counsall sould appoynt : And in case he wald bestow any money for uplifting of any men heir, thay sould willinglie bayth convoy the Kings armie upoun Ingland, and sould retene a certayne number in Scotland for reformatioun of religioun, and obteyning libertie of conscience : And that he had gevin counsall heirunto dyvers tymes, efter that the mater was communicat

unto him be Mr James Gordoun and be Mr Robert Abercrombie, jesuits, and last of all be Mr George Ker. Becaus tharefore that he foreknew of this purpose, and conceit the same, he was under daynger of the law. For this caus, he desyrit not be tryit be his pearis, bot referrit himself in the Kings will and mearcie, when he was arraignit at the bar. The Jugeis adverteist the King thareof, bot he desyrit the juré to proceid, wha fand, that they could not acquyt him, bayth be reason of his awin confessioun in writt, as also be cuming in will; and tharefore thay referrit him over to the King, wha immediatlie commandit him to be beheadit: And the dome of the Kings will was prononcit, that all his lands and rents sould fall in his Majesteis hands, etc.

Tharefter, upon the 18 day of Februar, the King tuik jurnay from Edinburgh towart the north, for the persewing of Huntlie, Angus and Arroll, and maid his residence in Aberdene. Thais Lords and thair dependers war, be oppin proclamation, and at thair dwelling places, requyrit to shaw thair obedience and comperance before the King. Bot thay before hand understanding of the Kings cuming, had all left thair ordinar habitations voyd. The Countess of Huntlie and Countess of Arroll came to the King, to whais he grantit the mentenance and keaping of their speciall and princepall howsis and rents, without any compt and rakning of the rents thareof to be maid to his Majestie or to his treasurer for the transgressions of thair husbands. And in the meyne tyme, the Queyne of Ingland sent in my Lord Burrow hir ambassador in Scotland, requyring that the peax and confede-

racie concludit and confermit at Leyth, after the expulsing of the French armie from Scotland, sould now *de novo* be ratefeit be the King in his perfyt eage; and forder, that he sould without delay puneish the lords and gentilmen suspect of treason, and now sufficientlie tryit be thair awin writtis and messages; that he sould grant thayme na favor, but extreme regor, for feare of the inconvenient that sould follow upon thair wicked pretence being unpuneist, when bayth tyme and occasioun war now presentit. To the whilkis petitions he promiseit to send answer competent with his awin ambassador.

In the moneth of Maij 1593, ambassadors war sent from Denmark to demand a just rentall of Queyne Annais drowrie in Scotland; but thair answer was differrit to the parliament tyme whilk immediatlíe followit. In the meyne season thay maid progres to all sic provencis as war thocht convenient that the drowrie sould be tayne of, accompaneit with sum of the Kings deputtis, as war expreslie direct for that effect.

The parliament was haldin in the moneth of Julij, whare Francis Erle Bothuell, be consent of the haill Lords of articles thair chosin and convenit, was declarit traitor aganis the Kings Majestie and realme; and for confirmatioun thareof, his armoris revin at the mercat croce of Edinburgh in the presens of the people thair assemblit.

Bot befor the actis of that parliament war perfectlie pennit and aggreit upoun in all poyntis, the noblemen and gentilmen of the

Stewartis thocht thaymeselfis sa far interest, that thair blude was cawseles spilt without redres, and Bothuell lang baneist without any originall caus, convenit thaymeselfis within the toun of Edinburgh, and consultit upon the reddiest way that mycht be for thair standing : Wha thocht maist expedient, that Bothuell sould presentlie be callit in, becaus thair cumpany was then very strang ; and that with thair wylie subtile forces, he sould enter in the Kingis chalmer, and offer himself to his clemencie and mearcie ; whilk he did as ye sall heir.

The caus of his inbringing was, that the King had burdenit the Duc of Lennox tua nyctis before, that he wald condescend to the incuming of Chanciller Maitland, (wha before was reterit from court as I have tauld you,) and was desyrit that he sould be advysit thareupon, and tharefter to report ansuer : Bot the Duc finding, that he was lyk to be interest be the incuming of the said Chanciller, fand that it was mair neidfull that Bothuell as a freynd and kynnisman sould be restorit, nor the chanciller ; and tharefore devysit as followis.

He assemblit a great cumpany with himself, the Erle of Atholl being present within Edinburgh, and all his speciall freyndis and assistance that mycht be procurit for ather of the thrée in greatest forces ; and upon the 24 day of Julij 1593, the noblemen entrit within the Kings chalmer, the Duc of Lennox being before preparing the way : Bothuell was logeit all nycht preceding in my Lady Gowreis hous, whilk is situat at the baksyd of the Kings palice, whareby thair is patent passage at all tymes ; and when

the noblemen war potentlie entrit the Kings chalmer, and the rest of the gentilmen of Stewartis and thair dependers becum maisters of the utter and inner court, possessing all the entres keyis be quyet subtile force, the word was immediatlie sent to my Lady Gowreis logeing, the Countes of Atholl being then within the palice, as it had bene to tak leve and gudenycht at the king ; and she seing all the mater preparit as she wald have wishit, (being upon counsall of the mater) tuik occasion to pas to the lady hir mother, be the bak passage : And when the port was maid patent to hir, behauld, thair is Bothwell disguysit, accompaneit with Mr John Colvill onlie, wha immediatlie entrit, and with all expeditioun past to the kings chalmer, accompaneit with my lady Athols trayne ; and the king being then at his secret place, Bothwell preparit himself on his kneysis, and layd his sworde down before him, drawin ; and when the king came furth, he cryit with a loud voyce, pardon and mearcie for Chrystis saik of all his former offences committit aganis his Majestie. The king demandit be what credence he entrit thair ; he said, it was upon playne simplicitie, ather to déé or leve, as best sould pleas his Majestie ; and becaus he acknowlegeit himself greavouslie to have offendit in tyme bygayne, he was thair presentlie comperit to offer him in his Majesteis will and pleasure, ather for present death, or utherwayis, becaus he was irkit of his former lyff of baneishment. The king effrayit, cryit Treason. The Erle of Mar, and S<sup>r</sup> Williem Keyth drew to thair armure, but war sone pacefeit be the multitude of the contrar faction. The clamor of treason went from the palice of Halyruidhous

to the toun of Edinburgh. The inhabitants assemblit thaymeselfis quicklie in armes, and presentit thayme before his Majestie in bat-tel array in the utter court ; bot be the fayre speeches of thais that cumpast him within the chalmer, he was sa paccfeit as apperit, that he commandit the people all to retein for that season, whilk was obeyit. Tharefter the king and he enterit in commoning, and be reason the originall caus of his truble was the suspicion of witchcraft, he offerit himself to tryall, be whasoever of his Majesteis subjects he sould pleas appoynt upoun the juré, and a short day was assignit to that effect.

Then the king desyrit to knaw whether Bothuell came thair in maner of hostilitie as he had wont to do, or not ? He answerit, that it was onlie upon playne simplicitie ; in taiken whereof he was cum thair, accompaneit with Mr Johne Colvill onlie, and na uther : And to eschew all suspicion that the king sould have, or consave aganis him, he offerit then presentlie to depart, and to remayne whare it sould best pleas his Majestie, ather in baneishment as afore, or in any part of the cuntrie, till sik day of tryall as his Majestie sould appoynt ; and sa simplie departit.

The king tharefter past to Falkland, but was weill accompaneit, in the meyne tyme, with the Duc of Lennox, the Lord Ochiltrie, the laird of Clwnie Creichton, with thair forces.

In the meyne time, Bothwell was tryit be his pearis, and was purgit be thayme for the cryme of witchcraft ; during the whilk season, to the 15 day of August, the king was in perpetuall greif of mynd, afferming that he was captive be Bothuell, and be the



foresaidis noblis and gentilmen. Yit all his suspicion on ather syd was pacefeit be the industrie of Robert Bowes, ambassador for the Queyne of Ingland, the wyse men of the counsall, and be the ministers of Edinburgh, under dyvers conditions, whilks war ratefeit in oppin counsall, as followis.

The Kings Majestie grants to the Erle Bothuell, his partakers and ayders, full remissioun of all bygane offences in assisting and furthering of his attemptatis aganis his hienes persoun and auctoritie, preceeding the dait heirof; and promiseiss that thay sall never be quarrellit tharefore in any tyme to cum, and that thay sall have restitutioun, present repossessing, and all uther suretie for thair lands, lyvis, gudis, and housis; and his hienes sall caus the same be ratefeit in parliament, to be convenit and haldin Godwilling, betuix and the 20 day of November nixttocum, according to the act of repossessioun maid in the parliament haldin at Lithgow; and this present act to serve for a sufficient securitie in the meyne tyme, till the end of the said parliament or conventioun of the estaits.

Thir persons following salbe commandit na wayis to repayre to his hienes presence and cumpany, and salbe resistit incace thay wald presume in the contrare: Thais ar to say, Alexander lord Home, Johne lord Thirlstain chancellor, Thomas Master of Glamis lord Treasurer, and Sr George Home of Prymro-know knyght.

His majestie willis all men in the meyne tyme to reteir thayme to thair awin dwelling places, or utherwayis whare thay sall think gude, as peaceable and obedient subjects; and his hienes will call sik of his counsall and servands to attend on his service, and to

~~James~~ of his commonweill, as he sall think maist  
~~James~~ promeissis in the worde of a king :  
~~James~~ his previe counsall and sessioun, the mini-  
~~James~~ present, together with the provost and bail-  
~~James~~ of the haill counsall and commonaltie  
~~James~~ command and consent for the honor of his  
~~James~~ repose and quyetnes of the realme, Swearis  
~~James~~ hand to the trew observatioun heirof, and  
~~James~~ be worde and deid aganis all that wald pre-  
~~James~~ violat the same : And in witnessing heirof,  
~~James~~ have subscrivit thir presentis with thair  
~~James~~ hands, the 14 day of August, 1593, as followis.

JAMES REX.

~~James~~  
~~James~~  
~~James~~ Lord Forbes.  
~~James~~ Lord Ochilttrie.  
~~James~~ Lord Spynie.  
~~James~~ Mr of Gray,  
~~James~~ Robert Melvill.  
~~James~~ Alexander Seyton Lord Vrquhart.  
~~James~~ Mr James Elphestoun.  
~~James~~ Myrecarnye.  
~~James~~ Alexander Clericus Registri.  
~~James~~ Nicolaus Vdwart, Provost of Edinburgh.

John Moreson, Baillie.

George Todrik, Baillie.

David Williamson, Baillie.

James Inglis, Baillie.

Mr David Lyndesay, Minister.

Mr Robert Bruce, Minister.

Mr Gualter Balcanquall, Minister.

Mr Robert Rolloc, Minister.

Mr William Watson, Minister.

Mr Patrik Galloway, Minister, witnessis.

Heirefter, the King ordaynit a conventioun of his estaitis to be haldin in Sterling, agayne the 7 day of September following, and thither came verie few in nomber ; alwayis the chiefest war the Duc of Lennox, the Lord Hammiltoun, the Erlis of Moutroze, Glen-carne, Mar and Mortoun, the Lords Lyndsay and Levingstoun, few commissioners for burrowis, and bot certayne for the kirk ; whare the King delatit unto thayme the greif he had consavit aganis Bothuell, that he estemit himself captive and thrall be him, and constraynit to grant him remissioun aganis all law and frie will ; and desyrit that thay sould acknowledge the same be thair generall voittis thair assembleit, to be publeist to the people. To the whilk, it was ansuerit be thayme all, that captive he could not be estemit, seing that sen his last talking with Bothuell, bayth he had bene at Falkland, nixt at Edinburgh, and last of all at extreme libertie and pastyme for the space of many dayis in the palice of

Hamiltoun, unaccompanie with any suspect person at all for the  
 part of Bothwell: and therefore could not comend to his Ma-  
 jestie in that poynt: And because he saw that he could not prevaill  
 in that originall, his Majestie and they all concluded as followis.—

At Sterting the 13. day of September, 1593,

It is declarit be his Majestie, with advyce of his estates present-  
 lie assembled, that his hiennes, as a true Prince, may presentlie, and  
 in all tyme coming, administrat and use his kinglie power everie  
 way, and may at his pleasure call sike of his nobilitie, counsell,  
 officers, and uthers gode subjects, to his service, company and  
 presence, as his hiennes bes, or best sall lyke of.

The Erle Bothwell, nor nayme of his complecis nor company  
 being in the daynger of his Majesties law, and that mooste have  
 his remission, sall nawayis repayre to his presence, nor cum nearer  
 to his hiennes than ten mylis, without his speciall licence or war-  
 rand had thareto.

His Majestie will alwayis have the said Erle Bothwell, his sone  
 and complecis, effectuellie, and without delay, restorit to the  
 howais and rents of Coldinghayme, and James Dowglas of Spott,  
 to the hows, rents, cornes and guddis of Spot, and uthers his rents  
 and guddis whataoever.

(Subscript)

Alexander Hay.

*A Memoriall to be communicat to the Erle Bothwell  
 for the King.*

For the satisfaction of our honor toward the late forme sub-

scryvit at Halyruidhous, upon the 14 day of August last, it is not to our contentatioun, bot sik as be all law we may freith owre self of, geve we pleas. Notwithstanding, for the quyetnes of our realme and estait, and at the earnist and humble suite of our estaits presentlie assemblit, we can be content that, the Erle Bothuell renunceand the benefite of all former conditioun, we now being at our full libbertie and ryplie adysit with our estaits, of our awin mearcie and favor, for the public quyetnes and repose of our realme, the said Erle humblie suittand us, We will grant unto him and his complecis, whome he will specifie be naymes and sur-naymes, remissioun of thair bygane offences attemptit aganis our person at Halyruidhous, Falkland, and last, at Halyruidhous, and uthers of the lyk qualitie that faillit, untakand the effect etlit unto us, as also restitutioun to thair levings and guddis ; and sall cause the same be ratefeit in our nixt Parliament, to be haldin and concludit, Godwilling, before the 20 day of November, nixt tocum ; whilks remissions salbe gevin together or severallie, as thay salbe cravit *gratis*, without composition to be payit tharefore ; the same being alwayis soght betuix and the 20 day of November nixt ; the said Erle findand sovertie to our contentment, that within sik space as we pleas efter the said Parliament, he sall depart furth of our realme, to the partis beyond sea, and sall remayne furth of the same during our pleasure, and whill he sall obtene oure licence to returne, and whill his departing, sall remayne in sic places and bounds as we sall appoynt unto him. His compleces in his lait trublis to be speciallie nominat in his

remission, and sall remayne at thair duelling howsis, and sall nawayis resort to our presence, court or place of residence, without our previe sending for, or licence to that effect.

(*Subscrivit.*)

JAMES REX.

Immediatlie efter this conclusion, the Lord Home was cum to Stirling, preparing the way for Chancellor Maitland as it followit in effect, accompaneit in weirlyk maner, with a great cumpany of horsemen. In the meyne tyme, the King had writtin to Bothuell, wha then maid residence in Edinburgh, that he sould prevelie cum and confer with the Prior of Blantyre and Sr Robert Melvill, upon these articlis foirsaidis : But he fering sum fals trayne to be layd agaynis him, and now the Lord Home layd in his way also, sent to the King a condigne excuse, that he could not of his honor obey his will in a prevat maner, considdering that his deidlie enemy had ombeset the way, and tharefore wald not expone himself beistlie to the daynger ; wharefore he trustit his Majestie sould hald him excusit. Interim, he sent prevelie to certayne freyndis, and he assemblit a greater nomber nor Home had collectit, and thus past forwart in his journey ; whare the Kings commissioners foirsaidis, and Robert Bowes, ambassador, met him in the way at Lithgow, and thair communicat thir foirsaidis articlis unto him, whilk he acceptit lovinglie, to be advysit upon, and sa returnit to Edinburgh ; whare, with skill of men expert in the lawis, was formit a lybell of reducioun of his forfaltrie to be reddie agayne the Parliament, with many nomber

of reasons contenit therin, mair tedious nor proffitable to rehearse : Bayth becaus the King, be the meyne foirsaid, had grantit unto his restitutioun, as also the conditioun of the tranquillitie of the cuntrie, and the baneishment decreitit for the Kings pleasure. Bot the King maid the lawer to pay weill for his paynis a great pecuniall sowme, and puneist the purses of uthers his weilwillers besydis.

As we ar gevin to understand be all historeis, that it is our dewtie of all degreis to obey and be reverent to heigher powers ; be the contrare, I find few or nayne, that hes rebellit aganis thair laughfull Princes or governors, bot they have bene chastesit in sik sort that thay escapit not unpuneist ; as be example ye may persave evin be the ruddest part of your entandement, wha sal happin to reid this ; That the first conditioun is foundit upoun fear ; It hes a progres of unconstancie, and a conclusioun of regoure ; whilks ar direct and worthelie opposite to craftie interprysis, and prowld rebellion, and ar maist lyk to have thair awin peculiar rowmes in the end ; and, tharefore happie is he

*Qui sua sorte contentus vivit.*

Efter this convention, the King had sindrie communications with the kirkmen of Edinburgh, and in particular, with M<sup>r</sup> Robert Bruce, cheif minister thair. For this M<sup>r</sup> Robert had dissuadit him oftymes fra cumpany bering, or shawing any kind of favor to the Catholic lords, whilk he promiseist to obey ; and yit, notwithstanding of this, oftymes reiterat, and of the condition subscriyvit with his hand maid to Bothuell as is aforesayd in presence of the ministers, that nather thay nor Chancellor Maitland, nor the Lord

the way betuix Lithgow and Sterling, horsit himself suddanlie, accompaneit with Chancillor Maitland, the Lord Home, S<sup>r</sup> Robert Ker yongar of Cesfurde, and a gairde of horsemen, and raid with diligence to Sterling; [and the gentilmen of his garde directed before to kill Atholl, incace thay sould encounter with him.] Montroze and Gowrie, suspecting na evill, horsit thaymeselfis to cum to the King in the way, bot thay war fearcelie ombeset be the Lord Home, and be certayne lycht horsemen, and had bene killit at that same instant, geve my lord Johne Hamilton had not happellie and manfullie intercedit and stayit thair furie be his sharp wordis and mediatioun. Thay war bayth maid preasoners instantlie, and usit with verie hard speaches be the King, bot war demittit the nixt day upon condition, to be ansuerable at the nixt citatioun.

And when his Majestie was returnit to Lithgow, upon the 5 day of October, thair he was verie earnist with Maister Robert Bruce, that na excommunication sould pas aganis Angus, Huntlie, Arroll, or Home; whilk was excusit as a thing that could not be done. Then the King sayd, that he understude of an assemble of ministers and gentilmen at Sanctandrois whare a certayne protestatioun was maid in prejudice of his Majesteis person and estait; the tenor whareof was, that incace his Majestie wald not adhere to the estableist religioun now professit, and puneish thayme be the regor of the lawis that professit the contrarie, thay wald not acknowlege him for thair laughfull Prence, whareof thay sent adverteisment to the ministers and gentilmen of Lothien on the sowth syd of Forth, sa that the ministers of that quarter



requyrit thair gentilmen to convene, and to consult heirupoun on the 17 day of October, whilks, he said, war verie prowde interprysis, and tharefore he wald call upon all his nobles agayne the 24 day of that same moneth, to consult with thayme what sould be requesite for his estait in all things ; and in particular for correcting of the insolence of ministers, he sould erect the estait of Bishops for suppressing of sik libberteys as thay have enjoyit and abusit in tyme bygane.

Within few dayis efter he came to Halyruidhous, whither also came secretlie the Erlis of Angus, Huntlie and Arroll, and remanit to the 12 day of that moneth. At the whilk day, as the King was ryding to Lawder to visite Chanciller Maitland, the saidis thre Erlis and St James Chisholme came on the hie way at sik place and tyme as he luikit not for : and althoght he had usit bot sum few words unto thayme, yit he wald proceid na further, nor shaw thayme any uther favor bot according to justice and reason as apperit. And tharefore to excuse his part, he sent bak that same nycht the Lord Treasurer, and the Abbot of Lundors directit to the Ambassador of Ingland, and to the ministers of Edinburgh, desyring that thay sould conceave na evill opinion of his part for thair cuming unto him. Bot the Catholic lords, efter thay had departit that same nycht, and tayne leve fra his Majestie, thay came immediatlie to Dalkeyth, whare all the nycht thay wrait missevis, directit to sindrie sik noble men and barrons in the cuntrie, as thay hoipit wald shaw freyndship unto thayme ; that thay sould be reddie in St Johnistoun the 24 day of the moneth of

October to be tryit be thayme as thair pearis, and procurit the Kings letters to be maid for chargeing of thayme to compeir for that effect, as also in a maner aganis thaymeselfis to suffer tryall, whareby it may be sene geve thay luikit for any regour to be usit aganis thayme, or had the supreme Juge to be thair actuall ennemie, thay wald have bene layth to imagine any sik devyce as sould any way be prejudiciall to thaymeselfis : and tharefore, the ministrie fering sum evill event to fall out aganis the estait of the kirk, assemblit thaymeselfis be thair Commissioners in Edinburgh, togither with certayne barrons and bailleis of burrowis ; and the King being then at Jedburgh for certayne effairis of the commonweill, thay concludit all in à voyce thir articlis following, whilks thay sent to his Majestie ending with extreme boste.

At Edinburgh the 17 day of October, 1593.

Humble Petitions of the Commissioners for the Kirk,  
Barrons and Burrowis, cravit of the King.

The Commissioners of the kirk, barrons and burrowis being convenit from dyvers partis of the realme, foreseing the present daynger, wharein the kirk of God, the Kings Majesteis awin person, and the haill commonweill standis into, thocht gude to geve thair advyce to his Majestie in maner following :—

Imprimis, becaus the Commissioners ar informit, that the excommunicat lords, naymelie, the Erlis of Huntlie, Angus and Arroll, and thair complecis, ar to be put to the tryall of a juré, and considdering what is the consuetude of this realme in sik caissis,

not desyre his Majestie that thay sall not be put  
 in humblye cravis, that thair tryall be not haistie,  
 appoyntit, bot that it may be delayit, unto the tyme  
 professors of the gospell be ryplie advysit what salbe  
 done in that mater, and that becaus the haill pro-  
 fessors of the gospell ar myndit to be thair partie and accuser in  
 treasons.

We crave, that according to the lawis and lovable cus-  
 tome of this cuntrie, thir excommunicat and treasonable apostats,  
 ar accusit of the heighest treason that was ever heard  
 in this land, may be committit in sure waird, viz. in the townis  
 Edinburgh, Dundee, Sterling, or as it salbe thocht expedient,  
 the tyme that order be tayne with all the papistis in Scot-  
 land, whilk factioun thay ar the heid, till the estaits advyse fur-  
 ther what maner of tryall salbe usit aganis thayme.

Item, we crave, that when the estaits, efter mature and dew  
 deliberatioun, sall put the foirsaidis traitors to an assyse, that the as-  
 sisers be not nominat at the option of the parteis to be accusit,  
 but to be nominat be the partie accusant ; to wit, the haill preach-  
 ers of the gospell, and that according to the lovable custome of  
 this realme.

4. Item, it is cravit of his Majestie, that, seing the foirsaidis  
 traitors ar excommunicat, and, be the just sentence of the kirk,  
 cut of frome the societie of Chrystis bodie, that thay be not admit-  
 ted to have any persoun in jugement, nor benefite of the law, till  
 thay be joynit to Chryst, and reconcelit to his kirk, according to

the lawis of this cuntrie, and his Majesteis awin promeis ; as also in respect thay ar alreddie maid giltie, partlie throw brekking of wairde, and partlie be making thaymeselfis fugetevis from the lawis, first from Sanctandrois, to the whilk thay war speciallie cetit, and then from the supreme seat of parliament last.

5. Item, incace his Majestie will not alter the day of thair tryall, as we doubt not bot he will, then we crave, that as his Majestie professis à religioun with us, and thay the contrarie, we that ar professors of the religioun may be his Majesteis gairde ; and that we may be admittit in the maist fensible and weirlyk maner, to be about his Majestie, to defend his person from thair violence, and to accuse thayme to the uttermoste, whilk we ar myndit to do, althocht it sould be with the loss of all our lyvis on à day ; for certanelie we ar determinat, that this cuntrie sall not bruik us and thayme bayth, salang as thay abyd Gods profest enemeis, &c.

I maid mention afore of an assemblie at Sanctandrois, wharin attoure the conclusioun before contenit, the fairsaidis Erlis and Sr James Chisholme war, be thair décrée, excommunicatit, althocht nather of thayme war subject to any paroche or presbiterie of that province, as the law prescryvis any excommunicatioun to be led ; and becaus this Sr James was not maid mentioun of heirtofore, and yit is excommunicatit conjunctlie with the Lords, reason wald that the caus thareof sould not be obscurit.

At the inventioun of this voyage that Mr George Ker sould have maid toward Spayne, with the letters afore rehearsit, the first per-

son that was employit in that message, was the said Sr James, bot he maid excuse of his unreddenes at that tyme, as Mr George Ker declarit; and becaus he revelit not the same to the prence aforehand, being accomptit a portioun of treason, he was tharefore under the daynger of the law, and fugitive for feir of puneishment; and becaus this excommunicatioun of Sanctandrois was approvit be the Commissioners assemblit at Edinburgh, the same was devulgat in the paroche kirkis thair upon Sondag, whilk was the 21 day of October.

The Commissioners wha war sent to the King with thir fairsaidis articlis, war commandit to delyver thayme unto him whare ever he war to be fundin, and to report answer, ather evill or gude, sik as he pleasit to bestow; and tharefore thay commandit all thais, or at the least, the maist part of thayme, to remayne still at Edinburgh till the answer sould be returnit; whilk thay diligentlie obeyit. Bot when thay war cum to Jedburgh, and had exponit thair erand to the King, he was na litill commovit at thair cuming, efter that he had red thir articles and considerit thareupoun; and indeid thair agrement was not sa gude, as that any perfyt answer was pennit be the King: alwayis sik conference and answer as thay exposit to thair commissioners at thair bakcuming, are heir set doune worde be worde.

Answers gevin in be his Majestie in the heidis proponit unto him be the Commissioners direct fra the Assemblie of the Burrowis, Barrons and Kirk.

As to the first, his Majestie, efter the hering of our propositions, answerit generallie, that he wald not acknaulege the conventioun assemblit without his advyce, nather geve us any answer as commissioners from that conventioun ; whareunto it was replyit, that we war reddie to produce sufficient warrands, prooving our assemblie to be with his Majesteis advyce, utterit bayth be prent and proclamation. Nevertheles, his Majestie yieldit to us as unto common subjects resorting unto him, and satisfied us in everie particular as followis.

And as concerning the conference we had, tuiching the Lorde Home, a profest papeist, and uthers his complecis, hanting about his Majestie, whilk is comptit very dayngerous to religioun, and to this present estait ; becaus it is an accomplishment of the Spanish plat devysit, that Papistis sould alwayis be resident about his persoun : His Majestie answerit, that a certayne day, with advyce of the kirk, was appoyntit that he sould satisfie, or then sould depart from his cumpany ; before the whilk day, he sould upon his doubtis confer, and sould seik resolutioun : Whilk thing his Majestie yit standis be, and sall performe for his part, in cace the uther resolve not ; and his Majestie was sure of Homes resolutioun before that day, becaus he had conferrit upoun his doubtis with his Majestie, and with Johne Dunkeson minister, and had ressavit resolutioun, and sall subscribe betuix and the day : And therefore the King sayd, that the thing whilk was done be consent of the kirk sould not be quarrellit be the kirk : Whareunto it was replyit, that he was past his bounds, and had done

evill, and had bene a speciall instrument to bring in the excommunicat lords and Sr James Chisholme to his presence.

As to the inbringing of the excommunicat erlis to his presence, contrare to his promiseis, be certayne evill affectit men about him, the King answerit, that he knew not of thair cuming, nather was he under any prevat paction or conditioun with thayme; and when upon their kneis they had cravit tryall, whilk he could not deny to thayme geve it had bene to the simplest of the land, he demissit thayme without any promiseis: And as tuiching thais about him that war instruments to bring thayme to his presence, he knew thayme not, and willit us to nayme thayme in particular, and to accuse thayme, that they might answer for thaymeselfis.

And as tuiching the hoip and expectatioun that the excommunicat erlis had to be maid free, and cleangit of thair odious treasons efter thair departure from his Majestie, be reason of the place, the tyme, the persons of the Juré, and the libbertie grantit to thayme to convene with thair forces for thair tryall, whilk we thought verie dayngerous: His Majestie answerit, That as concerning the tyme, he appoyntit the same with advyce of the ministrie; the place was appoyntit be advyce of the counsall; and the persons of the Juré, he thought thayme the maist indifferent of the land; and as for thair forces, he sould tak order, that he sould be maister for the present, of sik a nomber weill affectionat to religion as his Majestie sould mak chose of. To this it was replyt, that nather tyme or place war convenient. His Majestie answerit, that the tyme sould not hald sa short, bot it sould hald

foure or fyve dayis efter the Conventioun, and unto that tyme it sould be stayit ; as to the place, he was not certayne whither it sould hald in St Johnstoun or not.

And as to the persons of the Juré, where it was replyit, seing that the occasioun was sa weghtie, and his Majestie was remembrit, that he said it past the reche of his power to pardon it, and it tuichit everie estait in particular, and that tharefore his Majestie aught to do nothing tharin without the advyce of the estaits presentlie convenit : His Majestie answerit, that he sould tak counsall in Lawder upon that purpose with his chancallor Maitland, and efter that he came to Edinburgh sould convene with the counsall certayne of the Barrons, Burgessis, and Ministrie, according to whaise advyce he sould proceed in that mater, and na utherwayis.

Last of all, wheras we shew to his Majestie that the assemblee presentlie convenit thought it dayngerous for his Majesties cuming to Perth, be reason of the great nomber that war to resort with the excommunicat Erlis ; tharefore we desyrit to be present with his Majestie, and to garde his person for his saiftie aganis all assaultis : He ansuerit, that sik as he sould charge for the tyme sould be welcome at thair cuming, and sik as sould cum undesyrit sould not be welcome ; and he sould tak ordour that they sould not cum in sik nomber as sould truble the day of tryall, and sik as sould cum with thayme should be men of the religioun.

Tharefter the King began to shaw his utwart favor to the ex-



communicat Lords, and publeist to the people be proclamatioun, That whereas he, be advyce of his counsall, had appoyntit a tyme of tryall for thayme, he willit and commandit all his subjects to shaw thayme gude countenance, to ressave thayme in houshald, to ministrat unto thayme meat, drink, and all uther necessers when thay sould requyre it, and this sould not be imputit to thayme as a cryme heirefter.

Bot the ministrie war altogether displeasit heirwith, and had thair frequent conventions for this purpose, daylie and hourelie consultand heirupoun in na small nomber ; and the King being informit that the same tendit to tumult and seditioun, sent for thayme, and desyrit thayme to desist to convocat his liegis : Bot thay refusiit, allegeing for thayme, that it was the caus of God they had in hand, and not the caus of man ; and tharefore usit thair power directlie opposit unto the Kingis, dischargeing all thair auditors to ressave, or communicat be worde or deid, with the saidis excommunicat Lords or thair dependers, and thus contenewit.

The King in the meyne tyme had constitute certayne be commissioun to sit and juge in this fairsaid action ; whareof thair war nominat sax Erlis, sax Lords, sax Barrons, and sax Ministers ; bot becaus the Ministers war of the Kings election, and not electit be the rest of thair brether, thay opponit thaymeselfis to the commission in that poynt, althoght be all thair assertions the persons war condigne, and in whom thay could find na notorious fault ; and therefore the King maid thayme to be delete, that nayne of thayme sould be Jugeis be commissioun in tyme cuming, bot only as suppli-

cants conforme to thair cawsis: And becaus thair assemblie was litill or nothing decressit, he publeist this proclamatioun following, aganis thair proceidings, and in the meyne whyle the Commissioners assemblit and publeist thair edict, as ye sall heir in the awin place.

At Halyruidhouse, the 6 day of November 1593.

Forsamekle as the Kings Majestie, with advyce of his Nobilitie, counsall and estaits, laitlie convenit at Lithgow, hes gevin full powar and commissioun, expres bidding and charge to sindrie noblemen, barrons and uthers to convene within the burgh of Edinburgh, upon the 12 day of November instant, and thair to treat, consult deliberat, and conclude upon sindrie maters; speciallie tuiching the suretie of the estait of religioun, and professors thareof; and suretie to be tayne of all persons suspectit or dilatit to be adversers to the same, or trublers of the quyetnes of the realme, or in cace of thair disobedience or contempt, how they sal be per-sewit and repressit, and in all uther maters that sal be proponit concerning his hienes estait or effairis, and the present troubles and disorders over all the partis of this realme, as the commissioun grantit thareupon at mair lenth proportis. Wharefore, and to the effect, that this godlie and gude wark may the better proceid, and be nawayis hinderit nor stayit be the resort of any persons adversers to the said religioun, thair freynds or favorers, nor yit be convocation or gathering of persons standing under deidlie feid, or uther persons whatsoever, under whatsoever cullor or pretence, nather be uther craftie faction and restles spreittis, sekand oc-

casioun to intertenie truble and unquyetnes in the cuntrie ; his Majestie, with advyce of the saidis Lords, ordanis an herald, maisser, or uther officier of armes, to pas to the mercat croce of Edinburgh, and all uthers places neidfull, and thair be opin proclamation in his Majesteis nayme and auctoritie, command and charge all and sindrie his hienes liegis, of what estait, qualitie or degrie that thay be of, that nayne of thayme tak upon hand to resort or repayre to the burgh of Edinburgh, or place of his Majesteis residence, upon whatsumever cullor or pretence, during the tyme of the handling and ordoring of these maters, except sick persons as ar appoyntit and speciallie writtin for, or that sall first crave and obtene his hienes licence for thair cuming, and doing of thair uther lefsum effairis and bisnessis, nor yet do nor attemp any thing be worde, deid or actioun, that may hinder his Majesteis godlie and gude intentioun, as thay and ilk ane of thayme will answer to his hienes upon thair obedience, at thair uttermoste charge and parrell, and under the payne to be reput, haldin, estemit and persewit as contemners of his Majestie and auctoritie, movers and raisers of truble and insurrectioun, to the brek of his hienes peax, disquyeting of the cuntrie, and hindering of this godlie and gude wark ; certefeing thayme, that geve thay do in the contrarie thay salbe apprehendit, wardit and puneist for the same, with all regor and extremitie in example of uthers.

Thair was nather promise, ayth, nor conditioun keapit to Bothuell, nor to his dependers or parttakers, for thay war cetit to

compeir before the King and counsall, to answer certayne ferverous articlis to be proponit aganis thayme. Bot thay fearing an inconvenient, absentit thaymeselfis, whareupon he and thay war denoncit rebellis according to the common form.

The Kings Commissioners assemblit at Edinburgh, and efter a few dayis disputation thay decernit as followis, upon the 26 day of November 1593.

Imprimis, The trew religion onlie to be professit within this realme heirefter.

And all persons that hes not professit the same, or hes maid defection tharefra, sall obey and subscribe before the first of Februar nixt, or sall depart furth of the realme betuix and the said day, and sall notwithstanding enjoy their rents and guddis.

The thre erlis, Achindoun, and Sir James Chisholme, sall not be accusit of the cryme thay war summonit for, foundit upoun the blance, bot the same to remain aboleist and in oblevioun, and the same to be null, geve thay have alreddie or sall send pledges to strayngers.

The oblevion and abolitioun sall not extend to any murthers, slaughters, fire-raisings, or any uthers criminal maters.

Nik of thir fyve persons as intendis to remayne and obey, sall remayne in nik places as his Majestie sall pleas to appoynt.

They sall not menteyne the jesuits, nor suffer disputatioun aganis the establest religioun in favors of the papisticall ; bot sall interteyne a minister to confer withall.

Thay sall subscriyve before the first of Februar, unles the ministers aggrie to the prorogatioun of the day.

The Erle of Huntlie sall put furth, and hald furth of the realme, Mr James Gordon jesuit, his oncle ; and the Erle of Arroll sall do the like to Mr William Ogilvie, jesuit.

Everie ane of the erlis sall find sovertie under the payne of fortie thousand pundis, and ather of the knychtis, under the payne of ten thousand pundis, to keap and obey these conditions, and that thay sall not mak defectioun in tyme cuming efter that thay have anis satisfeit the kirk.

Thay sall all geve declaratioun of thair chose of these conditions betuix and the first of Januar, and salbe callit to satisfie the kirk, and thais that refusis sall lose thair lyfrents.

Maisters and landislairds sall be haldin to answer for thair men, tennents and servands, papeists, or for persons indytit for crymes.

Exact diligence to be done as weill aganis the excommunicats as uthers conforme to the actis.

And this is grantit incace that the erlis and uthers foirsaidis accept and performe, and to have na force of law, whill first it be acceptit, and sovertie be fundin : and nayne sall have place to crave the benefite of the same, incace it be not acceptit, the said first day of Februar being bypast.

What infamous perjurie, cawseles injurie, servile pacience oppressed with daylie bondage, neglecting of justice and law, commanding of evill turnis aganis rycht and reason, treading of equitie under fute, toleratioun of all mischeavis, and controlling of nayne

conforme to gude conscience and custume, I think was never hard of heirtofore in na christien commonweill ; and althocht thair be dyvers preceeding examples to conferme this, yit Sathan wha still gois about lyk a roring lyon seking to devore us, hes now sa oversylit the eyis of all estaits, from the heighest to the lawest, that nather do thay se presentlie or will se at all any uther thing, bot extreme malice in the heighest degrie, and put the same in executioun with thair awin wilfull hands, as ye may learne and discerne upon this tragicall fact following.

Thair war dyvers occasions of disfreyndships that fell out betuix Johnne Lord Maxwell and the Laird of Johnnestoun. Yit efter the death of Johnnestoun, and in the tyme of Maxwellis absence furth of the cuntrie, it pleasit the Lord Hereis to associat his sister in marriage with the onlie ayre of Johnnestoun, ather thinking to corroborat his allyá that way, or els to be a spur and a meyne to pacefie all preceeding quarrellis betuix the tua howsis, and to burie thayme in tyme cuming. Yit when Maxwell was returnit in Scotland, he stormit greatlie at that mariage aganis the Lord Hereis his cusing germane : Bot that wyse Lord sa pacefeit the mater be gude reasoun, allegeing for him, as it was trew, that first he had proponit the mater to the best and maist wyse of my Lord Maxwellis awin freyndis, lang before any conditioun or conclusioun maid in that mater. Bot the rancour was not altogither sa weill pacefeit in the hart of young Johnnestoun, be vertew of his new allyá, as reason wald have requyrit ; for he upoun a day, as Maxwell was cuming to Edinburgh, ombeset the hie way for him, intending violentlie to have murtherist him thare ; althocht

be gude luck, Maxwell escapit that daynger, and semit a lang tyme to misken the same, awaiting a better tyme to be avengeit, as he intendit; and efter that a litill, the trewis war contractit betuix these tua parteis, and war infalliblie keapit for a whyle. During the whilk tyme, be the industrie of certayne peceable wyse gentilmen of the Johnestons, sic incredible peax was concludit amang thayme, evin besyd all menis expectatioun, that thay met face for face togither, and thair band up freyndship be worde and writt, never to be brokin, under the payne of perjurie to the failer; and this continewit, and wald appeirantlie have bene langer, geve sum unbrydlit men of Johnestons had not hapnit to ryd a steiling in the moneth of Julij this present yeir of God 1598, in the lands and territoireis pertening to the Lord Sanquhar and the knyghtis of Drumlanryg, Lag and Closburne, upon the water of Nyth; whare attoure the great reaf and spulyé that thay tuik away with violent hand, thay slew and mutilat a great number of men, wha stude for defence of thair awin geir and to reskew the same from the hands of sik vicious revers: Whareat thir Barrons being sa far interest and greavit, war lang in suspence how to be avengeit of that crweltie, whill at last finding the freyndship sa great betuix Maxwell and Johnestoun, and that thay could not saiflie presume to do any injurie aganis Johnestoun, be reason that Maxwell lay in thair way; and fering that albeit thay sould pas to Annandaill quyetlie, unmolestit, yit thay dreadit to be trublit be Maxwell in thair retrait. Besyd all this, thais Barrons and Maxwell war not fullie reconcelit for the hatred thay

had consavit, opponing thaymeselfis directlie aganis him and the commission that he obtenit of the King to hald justice courtis upon thayme and thairs, thocht expedient to be reconcelit to Maxwell, and offer thair service unto him with band of manreid, and all sik offecis, as mycht allure him to thair favour and factioun ; upon this condition that he sould brek to Johnestoun, and in speciall to his kynnysfolk wha had injurit thayme before hand, whome thay knew weill he wald defend and menteyne : And the mair to corroborat thair purpose, had purchest a commissioun from the King directit to Maxwell and thayme to persew Johnestoun and his clan with all maner of hostelitie, whilk was the mair willinglie grantit unto, becaus Johnestoun was a speciall favorer to Bothuell. This band of thairs maid to Maxwell, and his mutuall band maid to thayme, was sumwhat negligentlie keapit, and was lost in my Lords awin hous ; whilk fell in the handis of Johne Johnestoun of Cummertreis be meare chance, and he immediatlie careit the same to the Larde of Johnestoun, wha incontinent sent for his speciall freynds, to whome he shew this band, whilk for the first face semit unto thayme incredible, and tharefore thocht expedient to send to my lord, to knaw of him whither sik a band was or not ; wha semit to misknaw the same ; bot when the effect thareof with all poyntis, articlis and clawsis contenit tharin, with the naymes of the subscriyvers and dait of the same was at lenth declarit, he then tuik him to the Kings warrand, afferming that it behuvit him to do command. Then thay allegeit, that he sould first have premoneist his evill intentioun, conforme to the band of



amitie first contractit amang thayme; and sen maters war sa far proceedit on my lords behalf, it behuivit thayme to be upon thair gairde aganis all misfortune, and tharefore dischargeit thair amitie to him for the tyme cuming, becaus Maxwell had first brokin to thayme, and sa departit; procuring assistance from all partis, and naymelie from the Graymes of Ingland, from the bellicous surnaymes of Scot and Elliot. Maxwell on the uther part had waygeit bayth horsemen and futemen; the futemen he plantit at Lochmaben chappell; bot Johnnestonis forces ombeset thayme, slew thair capten callit Olephant and many of the soldiors, brynt the kirk, and went thair way with that peceable victorie. Then Maxwell assemblit his forces in the moneth of December, and plantit thayme at Lokkarbie, intending to raze the hous. Johnnestoun to saif his freynd from inconvenient, set on at unawarris of Maxwellis oste, and that sa fearcelie, that before thay mycht ather be assemblit in ordour of battell, or horsit for refuge and flight, thay war sa unordorlie scatterit, that my Lord was unmearcefullie slayne without any remarkable resistance, besydis many uthers that soght refuge be watter, drownit thair, sum killit on the place, and he was comptit happiest that wan away with speid of his horsfute. And his ennemeis not content with his simple slaughter onlie, did cut af baith his hands, and careit the same with thayme on speir poynts, as a memoriall of his perfidie, and for ostentatioun of ther awin glore.

The great jugements of God ar heir to be remarkit, for althoght this tragicall end was violent, yit the breaking of his promise can

na way be excusit, nather the abuse of his bodie in wilfull harlatric aganis the godlie band of wedlok, in manifest contempt of his vertewous Ladye, whareunto he was addicted be the space of thre or foure yeirs before his death. Nather hes Johnnestoun any great caus of tryumphe, wha unnaturallie hes killit his awin sa noble and neir kynnisman, or sould have sufferit him to sustene any skayth, bayth for respect of blude, consanguinitie, and superioritie ; wha hes not respectit the law of God, that hes expreslie forbiddin all kynd of slaughter ; and tharefore I remit him to the censure of his devine Majestie, wha bayth can and will recompance the gude and the wicked according to thair deservingis.

The adverteisment of the Edict concerning the Catholic Lords being sent to the Queyne of Ingland, be hir ambassador resident in Scotland, she thoght expedient to send in my lord Zowche, a nobleman of Ingland, willing the King to remit his lenitie in sik proceidings, and to deale playnlie with regorous justice, as the caus and gude reason bayth requyrit : Whareupon it followit, that becaus the lords had not acceptit nor allowit of the benefite grantit unto thayme be the Edict, that the same was annullit be oppin proclamations, maid at sindrie capital burrowis within this realme, in the moneth of Januar according to the Romane calcul 1594. Tharefter the King removit from Edinburgh to Sterling, the tua ambassadors of Ingland followit, and be thair diligence and procurement, letters war directit chargeing the erlis to enter thair persons in preasoun, under the payne of treasoun.

Siclyk a Parliament was proclamit to be haldin the 15 day of Aprile nixttocum.

1594.  
ARY.

Quene Anne our noble Princes, bore hir first sone in the castell of Sterling upon Tyisday the 19 day of Februar, and [he] was baptisit in Sterling be the naymis of Henrie Frederik, and instalit Prince of Carrik.

In the meyne tyme great instance was maid be the ministers of 1594. Scotland, and be the ambassadors of Ingland, that the Catholic lords sould be summonit to heir and understand the proces of forfaltrie to be led aganis thayme. Bot the directioun thareof was not gevin till the latter end of the moneth of Marche 1594 ; and seing that the King and his counsallars war fundin sa negligent in prosecuting of the lords, it was secretlie devysit that Bothwell, being an outlaw, sould convocat a number of men of the bordors of Ingland and Scotland, to invayde this cuntrie upon tua pretences.

The ane was, with help of the kirkmen and ministrie, to baneish the Catholic lords from the realme of Scotland, that thair interprysis sould tak na gude succes aganis the estableist religioun. Of this article the Queyne of Ingland and hir counsall war acquaintit, and maid help to the performance thareof ; whilk greavit the King aganis hir ambassadors in sik sort, that a speciall gentilman of my lord Zowchis cumpany was committit to preason within the castell of Edinburgh ; wha confest, that he be command of the ambassador had spokin Bothuell and Mr John Colvill ; and another gentilman of his, whome he had directit to the Queyne of Scotland for answer of a letter sent fra the Queyne of Ingland to hir Majestie, he gat nather acces or answer at all. Dyvers of

the ministers war suspectit, certayne apprehendit and regorouslie examinat.

The second was a particular caus, to wit, becaus the Erle of Huntlie, be advyce and consent of the King and chancellor, had murdreist the erle of Murray, aganis the common forme of gude law, for the favor that he bure to Bothuell and ressetting of him ; that he mycht and sould hald hand to the revenge of that murthor aganis Huntlie, and all the committers thareof, sa far as his powar mycht extend ; and to fortifie his purpose in this caus, the erle of Argyle and the erle of Atholl war suspectit to put thaymeselfis in armes aganis Huntlie, to be reddie agayne Bothuellis cuming : Bot thay accompleist nathing at that tyme.

The King understanding of thir tua pretences, thought expedient with advyce of his chancellor Maitland, first to mak generall Proclamations, That na maner of persons sould convocat his liegis in armure or utherwayis upon whatsoever pretence, without his Majesteis licence had and obtenit thareto, under the payne of death.

Secondlie, that my Lord Home, the larde of Balcleuch, Sir Robert Ker of Cesfurde, sould assemble thair forces in the Merse and Teviotdail, to resist Bothuell and all his attemptatis ; wha war all sworne for that effect in the moneth of Marche 1594.

Proclamations war also maid in the same moneth, the last day thareof, that all subjectis sould be reddie with armure and tuentie dayis provisioun, to follow the Kingis lieutenant, for resisting of his rebellis.

The ministers in oppin audience at kirk, affermit in the Kings

presence, that because he was sa earnist in his awin particular, and sa slaw in the caus of God, his erand could not tak gude success; for he had alreddie consentit, that the Catholic lords sould not be callit to compt for thair former offences, upoun certayne fayre and easie conditions, as sum of thayme bure witnes be thair awin subscriptions.

The King had sure intelligence that certayne men within Edinburgh and uthir partis, had ressavit money fra Bothuells officers, for the accomplishment of sum sinistrous pretence; of whom sum war apprehendit and convict; dyvers personis war suspectit, and amang uthers, James Murray of the hous of Polmayis, for traffekking with Bothuell.

At the latter end of Marche, my Lord Home, Sir Robert Ker of Cesfurde and the Larde of Balclewch remanit with thair forces at Kelso, be the space of foure or fyve dayis; and the constant rumor was at that tyme spred, that Bothuell upoun the secund day of Aprile sould cum to Kelso, and thair sould remayne to exercise the rynning and spede of horsis. Bot thay removit thair camp before hand upon the first day of Aprile; whither it was to make place to Bothwell, or that thay estemit that he sould not cum at all, or that thay fearit the multitude of his forces, it is uncertayne. Always he prevenit the day of the rumour, and came to Kelso the verie first day of Aprile, and thair he remaynit with ease and laser all that nycht. Upon the second day he marchit to Dalkeyth without interruption; and the thrid day, earlie in the morning, he and my Lord Ochiltrie came saiflie to Leyth, ac-

cumpaneit with foure hundreth valiant horsemen, whare they remanit peceable till ellevin howris of that day. In the mornying at 8 houris, the King came to sermon, and thair in the kirk maid great instance to the people, that they sould assist him with thair gudewillis and strenth to suppress his ennemie Bothuell ; for the whilk caus, to animat the ministrie and the people, he solemnitie vowit to God in thair presence, that he sould not lay down armes till he suppress or baneist all the Catholic lords and thair adherents ; whareunto they gave credence at that tyme.

The few number of noblemen and gentilmen that war in Edinburgh, armit thaymeselfis to assist the King ; the inhabitants of the toun of Edinburgh did the lyk, and marchit all furth in order of battell the hie way toward Leyth. When Bothuell saw that, he devydit his cumpany in foure, upon the sowthwest syd of the toun of Leyth, whare thay stude in battell be the space of an houre ; and as he persavit the cumpaneis of Edinburgh to draw southwart, supponing that thay intendit to seik advantage of him, (as apperantlie thay did) he in lyk maner drew his cumpany at great laser, in gude and weill observit ordoure, toward the sowth, and that be all places of advantage and gude syght, first, be Lestalrig castell, and be the village thareof, and to the height of a passage, callit Lestalrig lone ; and thus continewit in thair esie payce toward Waster Dudingstoun myln ; whareby it apperit to the Kings camp, that his intentioun was to flie, becaus he had left his statioun place sa far behind him. Bot he continewit his payce be the eist end of the village of Noodrie Marshall, and so

furth to the height of a hill, callit the mote of the Wowmat, whare he scaillit his haill cumpany, that he mycht not be sene be the Kingis cumpany, reserving some watches to espy northwart. This his intioun in sik ordor and laser of retering, mycht have bene a sufficient argument of his magnanimitie and craft, as the end declarit. Bot it apperit generallie that he was fled altogether, be reason he was past with his cumpany sa far, and lang out of syght ; wharefore the King commandit my Lord Home, the Master of Glammis, and thair forces, and the garde of horsemen and futemen, to follow and prosecute Bothuell, becaus apperantlie he had left the feild ; whilk thay obeyit, and followit him that same verie way that he went, till thay came to Noodrie greyne, whare thay stude advysing before thay durst ryd up the hill foirsaid, and devydit thair cumpaneis in tua. The first cumpany was the Kings garde of horsemen, governit and directit be the Larde of Wemyis, a gentilman of gude experience in werefayre. In the uther cumpany was my Lord Home, the Master of Glammis, and a nomber of gentilmen ; thay sent thre gentilmen weill horsit to view the hill, before that thay thocht expedient to pas up the hill thaymeselfis, and as thais thre men war cum to the top of the hill, Bothuells watches set upoun thayme ; and thay, fearing a greater inconvenient, war compellit to reteir to thair awin cumpany with all the speid of horsfeit that could be. Then Bothuell, with half of his cumpany, followit fearcelie with clamor and courage, and set upon the first cumpany wha stude in thair way, and that with sa great impetuositie, and benefite of gunshot, that

within short tyme thay compellit thayme to leve thair place, and turne bak ; and Homes cumpany seing that, and finding thayme-selfis unfortefeit with uther companeis, and the futemen fleying another way bewast thayme, and far from any secource, thay reterit with exceding spede. Bothuell followit be the space of a myle and mair, and chaissit thayme within a half myle of the place whare the King and his cumpany stude. The futemen fled for feare to the Castell of Cragmiller. Then Bothuels trumpets sounded the retrait, upon a fayre ley feild under Cragmiller, in sight of the King and his oste, and assemblit his cumpaneis togither, and went bak in order and ease to the hill agayne ; from thence to Dalkeyth, whare he remanit the best part of that nyght without interruptioun, and then departit whare he thoght maist expedient. At this conflict few war slayne, bot dyvers war tayne preasoners, and many hurt. The preasoners Bothuell sent hayme unmolestit that same nyght.

The pretence of this his jurnay he utterit be a proclamatioun maid at Leyth, and be reason it is necessar to understand the first cawsis of all proceidings, whither thay be trew or cullorit, that be manifestation thareof the historie may ressave the greater lycht, I have insert the same for greater instructioun, as followis :—

#### BOTHUELLS PROCLAMATIONE.

Forsamekle as, in everie manis opinion, religioun and justice have bene estemit the tua cheif ornaments ; be the whilkes all flourishing commonwealthis war sustenit and decorit, thair contempt and decay ever importing the overthrow of that natioun or king-



dome that permittit the same ; for preservatioun whareof all men heirtofore wha have had a sound conscience towart God, and thair dewtefull respect to thair Prence and cuntrie, have directit thair hail actions, to the hazarde of lyff, guddis, and all thair uther moyennis : For wha can justlie afferme, that he had an upryght conscience to God, or that he careit a dewtefull respect to his Prence and cuntrie, wha, seing Gods trew religioun (be the whilk his devine Majestie is honorit, and without the whilk na cevill conversatioun can be exercesit,) parrellit, and will not for preservatioun thareof, more than it war for the aple of his eé, or vaynis of his hart, do and interpryse that lyis in his habilitie ? And for this caus, as it was a presumptuous and unlaughfull mater vnto ws, for our awin particulers, to unite ourselfis togither in wearelyk and extraordinarie maner, howsoever we war irritat be our ennemeis, (owre ordinarie acces defendit,) sa war it a verie base and dishonorable part in ws, 1. seing trew religion, 2. the person and honor of our soverayne lord, 3. the justice and policie of owre cuntrie, 4. the happie amitie betuix the tua crownis, in extreme parrell, as thay are presentlie broght unto as a spectacle to the idle behaulder thareof : And tharefore, We, the noblemen, gentilmen, barrons, burgessis, and commontie, having God and gude conscience before oure eyis, forgeving with our hart all our particular injureis done unto us, esteming nayne to be our ennemeis bot sik as be ennemeis to trew religioun, the amitie of bayth the crownes, and practisers for inbringing of strayngers, persaving a cumpany of lewd pernicious persons croppin in the estait, misgoverning the same, to the heigh contempt of God, and dishonour of our Sove-

rane Lord, to be cum to that unchristien, desperat resolutioun, as to permit Messe in sindrie corners of the cuntrie, seminarie preistis to travell with impunitie, pledges sent to the Law cuntreis, and the crwell Spanjart to be broght in, for subversioun of trew religioun foirsaid, brekking of the amitie, and overthrowing of all that will not consent to thair lewd and devlish devyssis, (as salbe, God willing, evidentlie verefeit be thair awin confessions, handwrittis, or famous witnessis ;) for preventing whareof, with all Christien reverence to the Lord of Lords, whais Majestie, with bowed myndis we implore to respect the equitie of our caus, and not our iniquiteis, and with moste humble and dewtefull allegiance to oure soverane Lord, whais person and honor, we do Protest, sall ever be darrer to ws then our awin lyvis; we ar deliberat to persew the said pernicious counsall with all hostelitie, till ather thay be forcit to compeir to answer for their lewd demereits, or at the least be expellit the realme, and salbe declarit to be the onlie instruments of this deplorable calamitie, wharewith be thair meynis this miserable land is playgggit; and becaus the arryvell of the said crwell Spanjart is certaynlie exspectit to be within few dayis, we ar forcit to use na langar delay, bot with sik spead and preparations as we might, seik out the foirsaidis abusers; to the end, thair arryvell that way mycht be impeshit sa far as in ws lyis, wishing in the meyne tyme ilk ane to considder with himself, be example of the tyrannie whilk the said Spanjart hes usit under pretext of Catholic religioun upon the Indiens, Portugallis, Italiens, and Frensh, speciallie upon trew Christiens,

whare he hes prevaillit ; what massacre, desolatioun, and miserie, sould be amang ws, geve he with his forces sould enter this realme ; and how unnaturall and mearceles traitors thay ar, that lauboris for thair prevat gaynis to bring in sik bludie tyrannis, to tyrannize above ws as thay have done in everie place whare thay had commandement. Bot princepallie and above all, we have oft hard his Majestie oure Soverayne Lord afferme, that he laikit nathing bot assistance aganis the saidis practesers for the league, and bereason we ar certanlie persuadit of his Majesties sinceritie in that behalf, we do in moste humble wayis implore his hienes prencelie mentenance and protectioun, in this dewtefull, necesser and christien service ; offering ourselfis, and all our industrie, with condigne humilitie, to follow his Majestie upoun our awin chargeis, till the saidis lewd persons be reallie correctit ; and tharewithall we exhort and requyre all his Majesteis subjects, as thay love God, thair Prence, and cuntrie, as also, We being a competent part of the nobilitie and bodie of the realme, having entres in the mater, do requeist oure equals, and commandis oure inferiors, to concur and assist ws in menteyning this gude caus ; in prosecutioun whareof We Protest before God so zealouslie and faythfullie to proceid, as we sall never bruik our lyvis, leif of or desist, till ather the said pernicious counsall be apprehendit and puneist be forme of law for thair lewd demereitis, or at least expellit the realme, and denoncit his Majesteis rebels and traitors : With certefication, to all and sindrie that sall assist or confort the saidis lewd persons, ather directlie or indirectlie, that thay salbe usit with all

severitie, as geve thay war the princepall offenders : Requyring also the Lords of Session, Sherreffis, Stewartis of Regaleteis, Commissaris, Provosts, Bailleis, and all uther inferior Magistrats, to use thair offeces in furthering of the said caus under the paynis abone mentionat, and all uther that may be inflictit for the lyk offence.—At Dalkeyth, the second day of Aprile, 1594.

And althoght that the greatest part of the ministrie of Scotland war sufficientlie instructit in this his pretence, as also the tua ambassadors of Ingland forknew the same, yit nather did thir men signifie the purpose to the King, or yit did the uther for the maist part disallow thareof ; for sum of thayme, yea evin his awin ordinar preachers and thais of Edinburgh, tauld him in his face, before the people in the kirk, that God had stirrit up Bothuell as a dunghill, to his Majesteis shayme and reproche, to performe that thing whilk he of dewtie and honor was bundin and obleist to accomplis, and whilk he slewthfullie neglectit with oversight to lang : Yit Bothuell, to mak his purpose the mair manifest, and to be the better allowit of, sent his letter to the tua ambassadors, and another letter to a number of ministers then convenit in Dumbar, the sowme whareof in all poyntis I have set down as followis :—

BOTHUELS LETTER DIRECT TO THE TUA  
AMBASSADORS OF ENGLAND.

SINCE ye ar seing witnessis of all thais deplorit misereis wharewith this pure realme is vexit, be the meanis of sum particular

amitie, and consequentlie of hir Majesteis honor, lyf and crown, being things inseperable joynit with the uther ; wharin as hir hienes hes entrit, so do we with conding humilitie implore hir gracious ayd with sik spead as the necessitie of this effayre dois urge, and as our sinceretie to hir lefull service, in all lefull maner, sall merit ; Protesting, that nather sould we at this tyme have convenit in armes, war not the certantie of the said Spanjart is daylie expectit, and pledges sent in maner foirsaid ; nor in this extraordinarie forme, war not that all peceable acces is barrit be the said pernicious counsall, wha thristis for our blude, gairding his hienes with great trowppis and numbers ; and thus not doubting of your cheritable and spedie mediatioun in the premissis, and referring mair ample declaratioun to the berar, we commit your honors to Gods blessit protectioun, &c.

HIS LETTER TO THE SYNODALL ASSEMBLIE OF  
MINISTERS, THEN CONVENIT AT DUMBAR.

RIGHT Reverend and looving Brethren.—In respect that your daylie sermons do declare your greif in behalding the deplorable estait of this realme, and daynger that religioun, his Majesteis honor and person, with the amitie standing betuix the tua crownis, is cast into by thir lewde practesis, for inbringing of the Spanjart with impunitie, be sufferit to practeis and negociat, it war superfluous prolixitie to informe your wisdomes heirin ; bot persaving be many arguments, as be lait sending away of pledges and uther messingers to the Law cuntreis, and using of messe in sin-

drie corners of the realme, the arryvall of the Spanjart to approche, a mater to na estait mair dayngerous then to ourself, we war forcit, not without testimonie of an upright conscience, for preventing thareof to put ourselfis in armes for persute of the saidis lewde persons thair inbringers, to the end the said Spanjart heiring his negociators and agents ather apprehendit, or thrust from his Majestie, may be discouraget, geve not altogither impeshit to mak his discent amang us ; and his hienes being fred of sik pernicious cumpany, may, according to his naturall sinceritie, utter himself religious, just and clement ; and tharefore as ye ar the persons within this realme nixt unto his Majestie, having maist interest in this mater, inviting daylie from your pulpittis, as becumeth faythfull pastors and watchmen to do, all men to this christien service, we implore your zealous concurrence, with offer to hazart oure lyvis and all our industrie tharein : Protesting, that na particular dois move us heirunto, bot allanerlie the respect foirsaid ; in sa far as we forgeve all oure enemeis as we wald be forgevin, bering na inimitie, bot aganis sik as wold bring in the ennemeis of religion and amitie foirsaid ; for declaratioun whareof, we requyre that sum of your number may remayne with us to beir recorde of oure actions, geve thay agrie with our protestations or not, and to confort us in sik sort as men callit be God of his mearcie to this dewtifull, necessar and christien service, aught and sould be. We war indeid myndit, in peceable maner and be way of admonitioun, to have employit his Majestie for preventing thais inconvenients ; bot your wisdomes knawis in what parrell we sould cast ourselfis geve we sould, unarmit or unprovydit,

fall in the handis of the saidis abusers, now gairding his Majestie in great trowppis, thristing, and seking oure blude day and nyght in sik barbarous forme as heirtofore was never hard within this realme ; and tharefore thair crueltie on the a part, and on the uther the present approche of the strayngers, sall excuse the extraordinarie forme whilk this inevitable necessitie hes compellit us unto : And wheras we ar forcit, with our saiftie, to adnit in our cumpany sum Bordorers, whilk perhaps may be sumwhat sclanderous to us, and fearefull to the common people whare we travell, be the lyk ; upoun our honor we promise that nayne of thayme sall tak violentlie from any person that can cleare himself of the imputatioun foirsaid, and geve thay chance to transgres, it salbe on the hazard of thair lyf ; and so, be this berar whome it pleas you traist, or be sum of your awin, desyring speciallie to know your mynd, we commit you to Gods protection. This secund of Aprile 1594.

Efter this commotioun, the King, dreading that Bothuel sould obtene succourse from Ingland, (becaus he was then resset thair,) to the prejudice of the common peax of the cuntrie, thocht expedient to have sum waygeit men for his defence, bayth of horse and fute, wha war convocat in a reasonable nomber ; the speciall leaders whareof war of the surnayme of Home, sik was thair great credence in court at that tyme. And becaus the King had secretlie taxit the realme with a great sowme of money before tauld, to furneis ambassadors to pas in forayne cuntreis, to signifie the nativitie of the yong Prence, and to mak a glorious try-

umphe at his baptisme ; and he finding that sowme, not able to do mair, nor to absolve that honorable actioun, was advysit be sum of his sinistrous courteurs, wha never wishit his vertewous proceidings, to spend the Dence money that was bestowit to the burrowis of Scotland for a perpetuall annuel rent, to be gevin to Queyne Anne during hir lyfityme, and tharefter to apperteyne to the Croune, and to bestow the same upon horsemen and futemen, wha war waygeit for a vayne, unprofitable and unnecessarie use.

In the moneth of May, it pleasit the ministers of Scotland to assemble thaymeselfis generallie within Edinburgh, to consult upon sik effairis as concernit the kirk and the stait of religioun. The King, in the meyne tyme, was in suspicioun with thayme all in generall, and with dyvers of thayme in particular ; as naymelie, with ane Johne Ross, then minister (bot not ordinar) at St Johnistoun, and with Mr Andro Hunter, ordinar minister at [Newbirne], in the province of Fyff. This Hunter had desert his flock, and was reterit to Bothuell and to his cumpany. The uther had preachit sum sedicious and treasonable doctrine (as the King thocht) to the people, and he understanding of thair convening at Edinburgh, he directit tua Commissioners for his Majestie to sit with thayme, and to heir of all thair proceidings. The Commissioners for the Kings part desyrit of the ministers, that Johne Ross sould be depyvit of his functioun, and that Hunter sould be excommunicatit. The ministers consultit, and decernit that Mr Andro Hunter, in respect that he was declarit the Kings rebell, and according to the custume was put to the horne, thay thocht necessar to depose him of his functioun, till he had bayth satisfeit



the King's Majestie and the Kirk for that fault ; and fand, be thair generall reasoning and common voittis, that thay could not de- cerne him to be excommunicat. The uther, Ross, being before examinat be the King and counsall, upon his sermon maid in prejudice of the King's honor, as was allegeit, willinglie gave in a just copie of his sermon. The King extractit sum sentences thareof, and gave thayme in articles to the ministers, to knaw thair censure geve he was worthie of puneishment tharefore or not. Thay, to satisfie the King in this poynt, examinat him exactlie, bot the man being curagious, defendit himself be sik reasons as apperit to the haill brethren to be reasonable. Then he was broght in presence of the King's Commissioners, the Moderator for the Kirk, and the haill number of the assemblie, whare he defendit himself be constant reasons that he had sayd rychtlie and weill ; alwayis to the end that the redar sall pretend na ignorance of this controversie, I have insert the heiddis verballie as he spak thayme, that every man may juge thareof as reason will direct him, becaus he confessit the same, confermit be his awin subscrip- tioun.

His text was upon the 6 chapter of the Prophet  
Jeremias, verse 28.

“ Brethren, we have manie, and almaist innumerable enormiteis in this cuntrie to be lamentit, as the misgovernement of our King be sinistrous counsall of sum particular men.

“ Thay ar all rebellious traitors, evin the King the maist singular person, and particularlie everie estait of the land.

“ It cannot be denyit, and the mair to be lamentit, that thair is

over manie traitors and rebellis aganis the King in this land, and this proceidis of the just jugements of God ; for as in all the greatest poyntis of his office thay ar not obedient to him, sa our King in sindrie poyntis hes bene rebellious aganis the Majestie of God.

“ The Papisticall traitors durst never intend sik purposes as thay have done, unles thay had oversight of the King.

“ What can all these things be, think we, bot treason, consenting thareto, and oversight thareof aganis God, the Kings awin croun and cuntrie ; for at this howre he hes a havie hart, and an accusing conscience.

“ With fayre promiseissis and protestations, the King demissit the people with glayd hartis, bot for any doing it is yit to cum, and thair is litill appearance as yit, and to that intent a rayd was maid to Abirdene, bot for any gude doing we se it not ; sen the whilk tyme manie fayre promiseissis war maid, and notwithstanding under cover he seikis the standing of the Catholic lords ; and what can all this be bot treason aganis God, his awin croun and cuntrie, but spedie amendment.

“ To this howre, we gat never gude of the Guysien blude, for Queyne Marie his mother was an oppin persecutor of the sanctis of God, and althoght the King be not an oppin persecutor, we have had many of his fayre wordis, wharein he is myghtie aneugh, bot for his gude deiddis I commend me to thayme. I speik onlie of things bygane : Tharefore geve he begyn not in tyme to amend, and to tak up another forme of dealing, that

And as the King dois conteneu in this course that he  
~~hath~~ into, he conteneu in the way of death, the end  
~~thereof~~ must be reprobation.

“Of all the men in this nation, the King himself is the maist  
 trust, and maist dissembling hypocreit.”

Now then to the effect that his bauld courage may the better be  
notefeit, how he answerit to everie questioun proponit to him be  
the King, his Chanciller Maitland, the Lord Treasurer, and the rest  
of the secret counsall, I have insert thayme for the instruction of  
the posteritie, in sik sort that everie redar sall tak example how  
that God inspyris the hart and understanding of the meanest to  
speak to prencis, and to inferior people, that the causis of the  
errors of Princes may be the better devulgat, first to the amend-  
ment of thair lyvis for eschewing of turpitude, and nixt to God  
Almychtie for eshewing of forder syn geve thay will geve au-  
dience.

It was demandit of Johne Ross, geve he thocht it not a dayn-  
gerous thing, in sik trubulous tyme, to preich sik sedicious doctrine

now, whenas the Kings rebell Bothuell was upoun the feyldis ? He answerit, that how greater the daynger war, the mair sould he studie to bring men to a syght of thair synnis.

It was allegeit, that the King was not present to heir the admonitioun : He answerit, that he went not about to whisper matters thair, for his Majestie had obtenit his sermon bayth to heir and reid, althocht he was absent : Forder, that he had a warrant owt of the written worde of God to speik of mennis doings althocht thay war absent, as the Prophets had to the hillis and mountaynis of Judea ; and that he had not obtenit that wisdome as yit, to be silent in tyme of daynger.

It was demandit, what was his meayning of sik doctrine ? He answerit, that it was to let ws se, that over lang we have cassin our carnall eyis on the help of a carnall Prence, still luiking that things disorderit sould have bene reparit, but now na apperance : Therefore, that we might learne to cast a vaill over a carnall eye, and studie to tak away the clude from the spirituall eye, and affix the same sa lang on the Prence of Prences, but casting away the hoip of the uther and not to leyne to it, and that then the Lord in mearcie wald oppin the Kingis hart be Bothuels insurrectioun, becaus he had gottin sa mony forewarnings.

It was demandit, geve his conscience accusit him nathing of the mater spokin be him at that sermon ? He answerit, that not a jote in oversight of dewtie towart his Majestie.

It was demandit wharin he wald prove the King's rebellion ? He answerit, Be a perpetuall omissioun of that whilk was in-

joynit to him be God, and that his Majestie stude over mekle upon inchis and poyntis of honor with God, in that he did mare regard his awin particular then the caus of God, sua that the sparing of Huntlie haldis up Bothuell, and untill that Huntlie be put order unto, thair is na victorie to be expectit over Bothuell : or geve Bothuell war apprehendit, yit God sould rayse another Bothuell owt of a buss aganis his Majestie. Tharefore it is not possible (sayd he) that the bludie murthor, and fearfull apostasie of Huntlie can be left unpuneist : Put hand to Huntlie and Bothuell sall fall ; and geve this be not done, Bothuell sall stand and Huntlie sall fall. Your Majestie, sir, (said he to the King,) hes sene and spokin with Huntlie sence his blude and apostasie, and ye myght have puneist him bot did it not ; and tharefore luik not for your awin peceable standing althocht Bothuell sould fall, unles the papisticall Lordis be put order unto ; for the earth can not leve sik traitors unpuneist. Be instant tharefore (sir) in your awin particular, bot oversie not Gods caus.

Being demandit, geve he involvit the King with thais traitors faultis ? Answerit, Yea, verelie, be reason he was participant of thair synnis be oversight, and this is a fault verie common to Prencis and Jugeis.

Being demandit whither geve he involvit the King in thair syn absolutlie ? Answerit, Yea, verelie ; bot he hoipit thair was sum place left to amendement.

It was allegeit that sum place of amendement was left to Huntlie : Answered, That he doubtit of that, seing that he was sa

far past in mischeif, murther and apostasie, and uthers with him, that thay had maid double apostasie, and that he had not red of any double apostats wha had gottin grace to amend ; alwayis he wald suspend his jugement of thayme, and he wald wish the King to rid himself of that blot.

Being demandit in what poyntis could he prove the King to be involvit in the gilt of thair treasoun ? Answerit, Becaus a promise was maid be his Majestie, that thay sould be puneist : Upon the whilk promise the haill ministrie reposit, bot all for nothing.

Being demandit what he ment be thais words, when he sayd that the King soght thair standing under cover ? Answerit, Becaus that the King persewit not the Catholic lords conforme to his promise, whilk be effect is tryit to be a coverit promise, for the ministrie is frustrat of thair expectatioun : Sa that he evidentlie soght thair standing be putting ws af with fayre words, and thay still standing in thair awin rowmes ; and, tharefore, in respect of a promise maid, and the same undone and unperformit, he involvit the King under thair generall.

Being demandit what warrand he had to speik of the Guysien blude ? Answerit, That he fand it a constant order in the Scripture, that not onlie the naymes of kings ar set down, bot also the naymes of thair fathers, mothers, kynreid, and sumtymes all and sumtymes part ; and, tharefore, in respect of this grund, he thocht he might have spokin it sufficientlie.

Being demandit what persecutioun was in the Kings mothers

tyme ? Answerit, That thair was persecutioun, whareof he could not then remember.

Being demandit whither he wald not simpliciter confes that he had done wrang to the King, geve he could not prove that ? Answerit, That in that poynt he wald confes a wrang, bot na further.

Being demandit whither geve he wald abyd be all that he had spokin ? Answerit, That the hart thocht it, the mowth spak it, the hand subscriyvit, and the blude sould seale it be Gods grace.

Being demandit how that he thocht his Majestie mightie in words ? Answerit, That he wald crave of God that his words war fewar, and his deidis war in greater nomber.

Being demandit what he ment be thais words, That the King sould end in blude, and that he sould apperantlie be tayne away extraordinarlie with uthers his predecessors ? Answerit, That blude sould put an end to him ; that is to say, the puneishment and jugement of innocent bludeshed unpuneist, out of all questioun, sould persew him and hunt him to the death, as Abels blude did persew Caans blude to his deeing day ; and that is the gyltenes of an evill conscience, arrysing on the jugement of blude : And tharefore, (he spak to the King,) luik for na uther thing bot for jugement of blude, for God hes bene chopband and broddand at your Majestie oft and sindrie tymes, sumtyme á way, and sumtymes another, bot tak heid to the end, and bewar in tyme, least á prick may cum for all : And as for the last, I meit it evin in substance with the first, that unles your Majestie mak spedie

repentance and amendment, apperantlie sum extraordinar way or uther, (seing God had manie wayis) he sould be gatherit with his prediccissors.

Being demandit whither he sayd, That the King was an hypocreit ? Answerit, Yea, bot he concludit that under the uther poynt sa far as he was participant of the papisticall lords treason.

Being demandit what he ment be thais words, That at this tyme his Majestie had a sair hart ? Answerit, Geve conscience be sik a thing as I tak it to be, I am sure that evin now whare his Majestie sittis behaulding me, he hes a sair hart, and ane accusing conscience, whilk can not be pacefeit efter sa mony oversightis unles he be reconcelit to God, whilk could not be obtenit, but amendement of his fault ; and tharefore then as now, and now as then, I am persuadit he hes a sair hart and a giltie conscience.

Being demandit whither he sayd, That he estemit the King to be in the way of reprobation or not ? Answerit, he said, and yit sayis it, and forder nor all that, sa lang as his Majestie contenewis in his proceeding but amendement, (seing he may amend it) sa lang he is in the way of reprobatioun : And tharefore, Sir, (sayd he to the King,) sa lang as your Majestie proceids na further then be the course of nature, sa lang ar ye in the way of death. The thing that I speak of your Majestie, that same speak I of myself, and of all uthers that do contenew but amendement, and sa far as I se, Sir, your Majesteis deidis do declare, that ye ar not cum furth of nature as yit.

Being demandit geve he wald abyd be all that he had spokin ?



Answerit, Whatever he was able to double out be scripture, and be dulefull experience, be Gods grace he wald defend it, and what he could not prove, he sould not be ashamit to confes his oversight.

It was allegeit that he wald not find the nayme of King James the Sext in the Byble? Answerit, That als honest mennis naymes as be in Europ ar set doune in the Byble, and thais ar mair sharplie reprovit be the prophettis.

Being demandit what was the caus he came not to adverteis the King according to the command of the scripture? Answerit, That the sobernes of his giftis did hinder and stay him; and forder, that sa mony learnit men had spokin prevelie and publiklie unto him, bot as yit thay have hard of na amendement; tharefore, preachings maid behind bak availlit na mair then thais that war maid before his face: And speik to his Majestie wha pleissis, thais that speikis fayrest ar the cawsis of his shayme, and of all the interest that he sustenis this day.

At last he being examinat before certayne select ministers and the Kings Commissioners, his reasons of Scripture hard and considerit, the moderator reportit the sowme and effect thareof to the haill number of the assemblie, and desyrit to knaw generallie what thay thocht thareof; wha considdering the pluralitie of thair voittis and sentences, prononcit on this maner following.

That thair was just caus for a sharper rebuke and threatning of havie jugements offrit be the grounds of the text interpret be him, then hes bene utterit be him hitherto, and tharefore approvis

his haill doctrine in that poynt, as it hes bene red and declarit be himself, except in sik heiddis as seameth to be maist offensive.

The King, finding this sentence of thairs to be sumthing ambiguous, and not correspondent to his appetite, that he could not be revengeit on him be any ecclesiasticall law of thairs, or municipall law of his awin, he, with advyce of his counsall, to the effect that uthers sclanderous speakers sould tak example be him, decernit him to be baneist the realme, and to lose the benefite of a common subject of Scotland at all tyme heirefter ; and cawsit an act to be maid in Parliament the 8 day of Junii, expreslie for him and all sik uthers as salbe fundin in tyme cuming to speak leasings and sclander aganis the person of the Prince, as mair evidentlie may be sene and considerit in the said Act.

The King, during this whyle, maid his residence at Sterling, for reparation of the castell ; and the ministers be thair commissioners proponit unto his Majestie all the imminent dayngers that semit unto thayme to fall upon the cuntrie ; as alsua sik remeidis as thay wald wish him to put in practise, that thay might have his resolute answer tharin before the Parliament, whilk began upon the penult day of Maij, as ye sall heir.

Imprimis, That the excommunicat persons be forfaitit without favor, and to that effect that the Parliament appoyntit to the 27 day of this instant moneth of Maij be haldin preceislie, but any kynd of delay, The advocatis sufficientlie instructit in

The King  
ansuerit,  
That thair sould  
be nathing in that  
mater left undone  
for his part.

everie poynt, to the effect the summondis may be fundin relevant, and sufficient probations in tyme provydit for.

Ansuer.  
Great reason.

2. Item, that na persons suspectit in religion, be electit upon the articles in Parliament.

Ansuer.  
Great reason, The  
forfaltor being  
endit.

3. Item, that thay be persewit efter the forfaltrie be way of death, with all extremitie, and that thair lands and rents be annexit to the crown, to remayne with his Majestie and his successors for ever, and na part thareof to be disponit to any, in favors of the persons forefaltit.

Ansuer.  
He is willing to  
apprehend practising  
Papists.

4. Item, That in the meyne tyme the gentilmen of the King's garde may be employit for apprehending of Mr Gualter Lyndesay, the Abbot of Newabbay, Bonytoun yongar, Mr George Ker, Mr Alexander Leslie, and Thomas Tyrie, with all uthers, traffekers Jesuits and seminarie preistis, not contenit in the summons of forfaltrie.

Ansuer.  
Great reason.  
howsome thay be  
forfaltit, and  
thankit thayme  
for this counsall.

5. Item, That the rebellis thair howsis be chargeit to rander, that thay may be takin and mannit, and thair levings and rents intromettit with, and tayne up to his Majesteis use without favor, and na part thareof disponit to thair freyndis, or any uther person, for thair commoditie.

Ansuer.  
Thair forfaltour  
always preceding.

6. That all persons be inhebite under the payne of treason, and tynsell of lyff, lands and guddis to

resset, supplie, assist, ryse and concur, intercommon, or have intelligence with the excommunicats, under whatsoever pretence of vassals or dependers.

7. That the haill subjects be chargeit to put thaymeselfis in armes be all gude meynis thay can, remayning in full reddenes to persew or defend, as thay salbe certefeit be his Majestie, or utherwayis find the occasion urgent.

Ansuer.  
To be reddie at his charge, he thocht it convenient. But wald not understand the last claus, of urgent occasion.

8. That the litill ship arryvit at Montross be apprehendit, with the persons that ar within hir, together with sik uthers as have had a dealing with thayme, as thay sall be gevin up in roll, and may be diligentlie examinat for discoverie of the practesis and purposes that thay have presentlie in hand.

Ansuer.  
That he sould omit na diligence in that whilk sould be requyrit at his hands.

9. That the garde of horsemen and futemen presentlie tayne up be tryit, together with thair captains, in respect of many complaynts given in aganis thayme to the Assemblie.

Ansuer.  
Thais complaynts do not belang to thair office.

Within few dayis that the commissioners for the kirk war returnit to Edinburgh with the ansueris as thay ar set down, thither also came the King, and the Duc of Lennox, with sum few nobles of his land. The great number of erlis war the number of tua, to wit, Montroze and Mar; the lords excedit not the nom-

ber of sevin ; the spirituall number of bishops and abbots war scarcelie samony. When thay war all convenit and placit in the Justice hous, callit tolbuyth, upon the penult day of May, it pleasit the King to mak his narrative of the caus of that parliament on this maner.

First, he declarit, that this present parliament was bot a continuation of the former : Becaus, at the preceding parliament, the erlis war summonit to compeir and ansuer to sik articles of cryme as sould be allegeit aganis thayme, and disobeyit. Nixt, that as a clement prince, he had convocat certayne of his nobilitie, to whome he gave commission to cognosce of thair faultis ; wha fand that thay sould be absolvit from all bygane faultis, and the same sould be aboleist out of all memorie in tyme to cum, upon certayne conditions contenit in that edict ; whilk thay have disobeyit lyk unto contemptible subjects : And forder, that he had requyrit thayme be an herald to enter thair persons in warde till thay sould be tryit, ather criminall and giltie, or els to be clearit of all things that sould be layd to thair charge, whilk also thay have contemptuously disobeyit ; and tharefore seeing that he cognoscit thair subscriptions, and foreknew thair intentions, whereunto he confessit publiklie to have been preivie himself, and was certefeit, that within thir few dayis thay had ressavit sum Spanish gold to performe sum extraordinar attemptat, he besought the Lords thair present, to do in that caus as God and gude equitie sould direct thayme ; and becaus he sat thair as a frie prence, having greater powar to command, and requeist thayme for performance of thair

dewteis, then to geve his vote in the caus, that thay sould be na thing the slakker in that poynt.

The chancellor Maitland spak efter him to the same intent, in verie few termes, and desyrit that all man that had any complaynt or suite to geve in to the Lords of Articles, sould be earnist, and thay sould ressave a spedie ansuer, ather *pro* or *contra*, as reason wald.

Then the ministers began at an auld poynt of thair awin, that as afore, thay requyrit, that all temporall lands possest be bishops, abbots and priors, sould be annexit to the croun, that the benefite thareof sould have redoundit to thaymeselfis rather then to the King; so now thay requyrit, that all thais lands pertenyng of auld to the kirk, which war wranguslie and sinistrosie annexit to the croun, sould now be revokit at this parliament, callit bak again *ad pristinum statum*, and to perteyne to the donatioun of the Prence and his croun, as thay had never bene gevin or erectit in temporalitie. This thair petitioun was grantit on this sort; that all benefecis erectit to temporall lordships before the establisshing of the act of annexatioun sould stand unrevocable, and whatsoever uther benefecis erected sen that act, sould all be revokit, and callit bak agayne; and generallie all and whatsoever petitions cravit be thayme, war assentit unto at this parliament.

Siclyk all lands that appertenit to the croun in the dayis of King James the Second, wha florishit in the yeir of God, 1436, and war disponit be him, or any of his successors, to any of his subjects, sould now returne to the croun agayne, without exceptioun.

The criminall caus of the Catholic Lords being red, and considerit be the few number of the nobles and barrons thair present, the ministers and commissioners of burrowis being the greater number, thay fand thair handwrittis be witnessis clearelie cognoscit; the rest was overpast as provin be presumption. The number of the nobles suspendit thair vottis, becaus the intentions of the Catholic lords war nawayis clearelie provin judiciallie: Always thay war maid proscript be pluralitie of sik voittis thair present having powar, and thair armoris revin in the justice place, in face of parliament; tharefter cassin out at a wyndó, be the heraldis, together with the armes of Angus Mak-oneill and Mac-layne, for sindrie enormeteis committit be thayme, whareof mention is maid before, for non obedience to the lawis. The King and his estat in parliament ordaynit Lyon King of Armes, with the remanent heraldeis, to publeis the same at the mercat place of Edinburgh to the people, wha proclamit with sound of trumpet on this maner.

We do yow to wit, that forsamekle as the Kings Majestie, with advyce of his thré estaitis convenit at this present parliament, hes declarit, decernit and prononcit the dome of forfaltrie upon thir persons efter following, viz. William Erle of Angus, George Erle of Huntlie, Francis Erle of Arroll, Angus Lord Mak-oneill of Dunneveyg, Lachlan Lord Maclayne of Dowart, and S<sup>r</sup> Patrik Gordoun of Achindoun, knycht, ilkayne of thayme traitors; and hes ordanit us heraldis to mak publicatioun heirop at the mercat

croce, and ordanis us to cancellat, and ryve thair armes, that thay nor nayne of thayme, nor thair airis at any time cuming, sall enjoy lands, rents, heretages or honors.

The King of Spayne understanding of the sharp proceeding in Scotland, be the message of sum Scottish jesuits, he addrest first a message to the Catholic lords prevelie be sea, and landit at Monross, the negociatioun whareof was prevelie keapit. The men past sa suddanlie toward the Catholic lords, that scarcelie was ather thair naymes devulgat, or thair persons apprehendit; bot the ship was takin, and the mareners maid preasoners. He sent agayne another message of a greater importance, with support of sum gold, be a ship that landit saiffie at Aberdene: the maist notable personages within hir war takin preasoners, be the magistrats of that toun. And before thay could have sure intelligence of this mater sent to the King and his counsall, the Catholic lords assemblit with a small armie of sax hundreth men about Aberdene, and first sent in their messinger with fayre words, desyring to have the men restorit unto thayme; bot this was refusit. Then thay boistit be a letter that was sent unto the magistrats, and thay fearing the evill event of things intendit aganis thayme, randrit the men willinglie, before that the King could send any adverteisment unto thayme what to do in this mater. The words of the letter were these.



*A Letter direct from the Catholic Lords to the Provost, Bailles,  
Counsall, and Commonaltie of the Toun of New Aberdene.*

Provost, bailleis, counsall, and commonaltie of Abirdene; Considering that aganis the lawis of nations, and without any order or justice, at the appetite and desyre of certayne oure ennemeis, or of your awin undiscreit malice, ye have takin and empreasonit thré strayngers, gentilmen, wha ar cum in the cuntrie, as we ar informit, from uther christian Prencis, to suite maist humble of his Majestie sum ease of our distressit estaits. Tharefore, as we have travellit, be all honest and fayre meanis thir dayis bypast for thair relevis; sa now we certefie you by this present, that unles thais gentilmen with thair haill equippage be put to libertie, randrit and delyverit unto ws, we will not onlie esteme of you as oure ennemeis in all tyme cuming, bot will instantlie persew you, your town, guddis and geir, bayth with fyre and sworde, and with all uther kynd of hostilitie consisting in our possibleis and powers, and it sall remayne as a perpetuall debait, sa lang as our howssis, or posteritie sall lest. Thus remitting the rest to your jugements and opinions, that unles we be instantlie satisfeit, we send you thir presents for a discharge of all assurance and freyndship, to the end ye may be at your advantage. Writtin the 19 day of Julij, 1594.

Yours as ye deserve athir presentlie peax or weare.

ANGUSS,     HUNTLE,  
ARROLL,     ACHINDOUNE.

The Ministrie, at dyvers tymes heirtofore, had requyrit the King to suppres the insolencie of thais Catholic lords be the force of an armie, and to expell thayme furth of the cuntrie, or els that thay might have previlege to convocat the subjects thaymeselfis for that effect, whilk he wald on nawayis grant : And now thay finding him negligentlie to continew in this requyrit executioun, and he on the uthir part had his haill mynd bent for reparatioun of the castell of Sterling, and to prepare all glorious things necessar for the triumphe of baptisme of the yong Prince, was advysit be his counsall, to auctoreis this prevelege following unto thayme ; whilk albeit thay of set purpose and deliberat mynds had oftymes done unrequyrit, yit when the prevelege was grantit unto thayme, thay not onlie abstenit to performe it, but disdaynit also to do it.

Act of Secret Counsall at Edinburgh, the 23 day  
of Julij, 1594.

The Kings Majestie now finding the effectis of the traitorous practesis of his disloyall, unthankfull and unnaturall subjects proceidit, as the Jesuits (the pernicious springs and instruments of all thir evillis,) ar returnit not simpillie, bot accompaneit with strayngers and furnist with money, to stirre up and prosecute a public weare aganis God, his trew religioun, his Majesteis person and auctoritie, and all his faythfull lege people, professors of the same trew religioun, evin in this tyme appoyntit be his hienes for the baptisme of his dearest sone the Prence, whome God in his mearcie hes grantit to the confort of this nation, be the assistance

and witnessing of the soverayne Prencis, his Majesteis maist deare freyndis, allyais and commonwealthis, his narrest and gude nyctbouris; for resisting and repressing of whilks maist treasonable and odious attemptatis aganis God, his trew religioun, our soverayne Lord and King, and this our native cuntrie; his Majestie willis and effectuallie requyris all ministers of Gods worde, within the haill presbitereis of all this realme, earnestlie to travell with all his hienes faythfull and gude subjects of all estaits, alsweill to burgh as to land, to tak this mater so in hart as that whilk importis the present daynger and hasard of thair religioun and conscience, the lyvis of thaymeselfis, thair wyffis, bairnis, and kynnysfolks, the conquest of thair native cuntrie, and of thair awin lands, rents and guddis, valiantlie defendit be thair worthie forbears unto this eage, fra that maist crwell and unmearecefull nation of Spayne and thair adherents: and to that effect to move the barrons and gentilmen in everie shyre and presbiterie, and the provost and bailleis of ilk burgh, to convene with all speid in sik convenient places as thay sall think expedient, to advyse upoun the best and maist expedient meynis to resist and repres the enemies of trew religioun, his hienes person, his crown, and quyetnes of the cuntrie; seing his Majestie is content to interpone himself tharin to the uttermoste: Requyring thayme to considder of this mater substancialie, and to report unto his Majestie thair gudewillis and offerris; to prepare thaymeselfis with armure and victuals, to pas fordwart with his Majestie upon the first adverteisement, or as any thing sall intervene in the meyne tyme, to

repayre to his Majestie, or utherwayis, whare the daynger sall appeir, upon an houris warning.

The Prince of Scotland was baptesit in the castell of Sterling the penult day of August 1594, be the naymes of Frederic Henrie, and Henrie Frederic. Thair assistit to this honorable actioun, a noble lord Robert erle of Sussix, ambassador for the Queyne of Ingland, and Robert Bowes, ambassador ordinarie, then resident in Scotland for hir Majestie, the rycht honorable my Lord Wharetoun, and S<sup>r</sup> Harie Brumlay knyght.

Item, Stephanus Bellovius, and Christianus Bernekow, ambassadors from the King of Denmarc.

Item, Adamus Crusius, ambassador from the noble Prince Henricus Julius Duc of Brwniswick.

Item, Joachimus Bassevitius, ambassador from that noble Prince Vdalricus Duc of Megapolen.

Togither with the barron of Brayderod, and the treasurer of Zeland, ambassadors from the lords of estait in Holland and Zeland; and ather of thais ambassadors, according to an ancient custume in sik effairis, presentit a gift in commemoration of the Baptisme. Bot becaus it is a rare thing that sik things ar wont to be reservit for a perpetuall memorie, I have thocht gude to omit the catalogue of thayme, and to insert a substantious monument gevin be the estaits fairsaidis, as it was gevin in a coffer of golde, for a testimonie of thair forder benevolence towart the King, the prince and the cuntrie; the coppie whareof, in the Frensh language, as it was effectuellie writtin, heirefter followis.

Les estats generaux des Provinces unies, du Pays Bâs, A tous ceux qui ces presentes verront ou orront, salut : Scavoir faisons comme ainsi soit quil y a pleu a Dieu tout puissant benir le serenissime Roy Jacques sixiesme de ce nom Roy D'escosse d'ung filz, et jeune Prince quil a procréé de sa serenissime Dame Madame Anne, fille de Dennemarc, Royne D'escosse, sa compangne, pour posseder et regir iceluy Royaulme, aussi continuer l'ancienne paix et mutuelle amitie avec ces pays apres luy, Et audict seigneur Roy de faire tant d'honneur aux dictes Provinces unies, que de nous mettre au mellieur rang des ses amis et confederéz, nous ayant faict requerir par les seigneurs Guillaume Keyth, Chevallier de son ordre, son counselier et gentilhomme de sa chambre, et le Capitaine Guillaume Murray, prevost de sa ville de St Andró, ses ambassadeurs, pour tesmoigner le Baptisme du dict seigneur Prince, par ou, et plusieurs autres demonstrations, et actes publicques, le dict seigneur Roy faict paroistre la vray amitie, et tres-sincere affection quil nous porte, et a l'estat des dictes provinces, pour la conservation et manutention diceluy, dont luy remercions bien humblement : Si est il que pour monstrar que non seulement nous avons cela tres-agreable, et nous en ressentions tres-obligez ; mais en desirons aussi lesser une memoire audict seigneur Prince, affin que iceluy parvenu en age, il ay tant plus d'occasion de se resouvenir de ladicte affection, que sa majesté son seigneur et pere a porté a ses pays, pour ensuivre ces traces, et les aussi aymer, affectioner, et favorizer en toutes occurences, comme ilz esperent : Nous avons promis et constitué, promettons et constituons par ces presentes,

au proffit de Frederic Henrie, filz et prince D'ecosse, une rente viagiere de cinq mille livres de quarrante gross la piece par an, a commencer avoir course du jour du son Baptisme, et ainsi d'an en an, durant la vie dudict signeur prince ; promettans de faire payer toutes les ans la dicte rente viagiere escherra, seront trouvez competir et appertener a la generalité des dictes provinces. A quelle fin, nous ordonnons a nostre receveur generall qui est à present, et a celui qui le sera a l'advenir, quil ay suivant ce a payer toutes les ans durant la vie dudict seigneur prince, audict terme, la dicte rente viagiere de cinque Mille livres en la dicte ville de Campvere, es mains dudict conservateur des privilegis D'ecosse, ou telle autre qui y seray commis, des plus clairs deniers de sa recepte qui a chacun an seront trouvez competir et appertener a la dicte generalité au jour de la dicte rente viagiere escherra, sans qu'il devrá attendre autre ou plus speciale ordonnance que la presente : Par ou rapportant ledict receveur generale pour la primier foys, copie autenticque de ceste, avec quittance, et de lá en avant, d'an en an, quittance seulement du payement que suivant ce il aurá fait, si luy sera iceluy payement passé et alloué en compte lá et ainsi quil appertiendra, le tout sans fraud, et malingnie. Et pour plus grand assurance que dessus, nous avons fait seeller la present de nostre Séell, et signer par nostre Greffier. Donné en la Hayè en Hollande en nostre assemblée, le vingt sixiesme jour du moys de Juilliet l'an de grace M. V. Nonnante et quatre.

Ainsi signé

C. D'AERSSSEN.

During this tryumphe aforetauld, certayne of the preachors of Edinburgh, to wit, Mr Robert Bruce and Mr James Balfoure, past westwart of purpose to sollicite the erle of Argyle to accept upon him to be lieutenant, to pas in the North to puneish the Catholic lords, whilk wald be a thing acceptable unto God, profitable for the commonweill, and honorable for himself; whilk geve he wald promeis to do, thay sould do diligence to procure him a commissioun from the king to this purpose; whilk he willinglie acceptit, maid great preparations for himself of his awin gude freyndis, and uthers of the Kings subjects dwelling in the North, and past indeid a verie langsum and difficill way from the toun of Inveraray in Argyle, upon fute, without association or garde of any horsemen, till he came to a hill in Strathdowne callit Belrynnis. He had in his cumpany to the number of sax thowsand men, weill provydit with muscats, bowis, arrowis and tua handit swordis, of the whilk nomber thair war fyftene hundreth muscateirs and hagbutters; the rest war provydit as said is. The lieutennents intentioun was to have cum and possest himself in Huntleis cheif hous callit Strathbogie; bot Huntlie beforehand understanding of his cuming, tuik all the provisioun furth of his palice, and the people duelling thare and about had withdrawin cornes and cattell from thais partis for feare of skayth, and left thair housis desert; and Huntlie also, to the end the ennemie sould have na thing to feid upon within his cuntrie, had spulyeit all necessers, to mak the lieutenant to tyre of his remayning. And this doing of his was sa prejudiciall to himself, that when Argyle

was cum sa nar to the lands of his freyndis, it behuivit him to susteyne the fortune of weare ; and indeid Argyle had sent worde before, desyring Huntlie and Arroll in the Kings nayme to reteir from the ground, and to mak the same voyd to him as to his Lieutenant, under the payne of treasoun ; and siclyk sent word, in particular to Huntlie, that he sould cum and lodge in Strathbogy. To the whilk Huntlie answerit, that he sould be porter himself, and sould mak the passages of the palice patent unto him before his cuming, and sould welcome him be the way as efferit. And in the meyne tyme, he convocat all his people together, with assistance of Francis Erle of Arroll, and thair exhortit thayme to defend him in his just caus at that tyme ; for he tuik God to witnes, that he had na uther caus to feght aganis the barbarous ennemie, bot first for the glorie of God, and for the libbertie of his and thair consciences, whilk was thrallit be sik as be pernicious ennemis to all treuth and veritie, wha had at this tyme thus animat the King aganis him ; whome he assurit thayme that he luvit, and reverencit with hart and mynd, conforme to the dewtie of a gude subject, aganis whome he wald never cum, albeit in a just caus ; tharefore sen thay had now to do with sik an ennemie, in whome was nather feare of God, nor obedience to the Prence, nor gude maners at all, he besoght thayme thair in Gods nayme to behave thaymeselfis valiantlie. Then thay thoght gude to devyde thair nombers on this sort. In the avantgarde was placit Francis erle of Arroll, Sir Patrick Gordon of Achindoun, knyght, and Capten Thomas Ker, whais counsall and



convoy was cheiflie usit in this mater, with the number of tua hundreth horsemen; for he was directit to view the lieutenant's cumpany, and their camping place; bot when he came bak agayne, he nather reportit the great number of the ennemie, nor of thair order, nor of the strenth of thair camp, bot disdaynefullie sayd that thay might eselie be overcum, as a number of unprovydit men. Huntlie with uther tua hundreth horsemen war on the arreregarde, all assemblit on a fayre playne feyld. Efter thayme war commandit still to stand in sight sax hundreth horsemen, and a hundreth hagbutters, to attend upon foure peces of great ordonnance that war on the playne; and thais war artificialle convoyit fordwart, and coverit be the circuit of the horsemen, that Argylis cumpany wha stude on the height of a hill could not persave thayme. At last thay drew thayme so nar the hill till thay broght thayme within a shot to the camp; and heirwithall the avantgarde and arreregarde still marchit fordwart with a soft easie payce, becaus the hedder on the hill syd was so ruch and heich that the horsis could nather trot nor gallop. And when thay war cum up at a syd of the mydle of the hill, the foure pece of ordonnance war shot af direct aganis Argylis vantgarde, whilk astoneist thayme mekle, althocht without skayth, that a number of thre hundreth war sa effrayit, that immediatlie thay turnit baks. With this, Arroll and his cumpany came fast on, and becaus the direct way was sumthing difficill, and an easie, hard, dry and playne way was hard be thair hand, thay followit on upon that way, whilk lay directlie to the brayd syd of Argylis

camp, and to that part whare himself stude ; and be the way thay war still assailyeit with shot of muscat and arrowis, whilk annoyit a great nomber of men and horsis. Bot as the horsemen of the vantgarde war thus cum fast up upoun the flank, thay maid sik a furious onset upon Argylis awin cumpany, that thay compellit thayme immediatlie to geve baks, whare the Larde of Lochnell and his brother war bayth slayne. This Lochnell bure the lord lieutenents cheif standard, and it was takin and careit to Huntleis hous, with many uther standards. Huntlie for his part secundit sa weill, that he set valiantlie upon the strang cumpany whare Maclayne stude, whilk was for a lang tyme verie manfullie defendit; bot the force of the horsemen was sa great, that a nomber of the forefront of the ennemeis war borne perforce to the ground, sa that Maclayne was compellit also to reteir, and in sowme, all of thayme war compellit to geve baks, and to leve the camp with speid of fute. It was foghin be the space of tua houris in the efternone, Argyle had the vantage bayth of the ground, of the sone, and of the wynd ; and Huntlie nather, but direct in the contrare ; and his cumpany had maid bot verie small repast that day, bot the lieutenents layrgelie, and had gude store of ververs and aquavitæ careit with thayme, in sik abundance as was the laydding of fyve hundreth horsis. In end, Argylis cumpany fled in sik feare and celeritie of fute, that they caist thair haill armure from thayme, tayrgis, playddis, and all for esenes of refuge. Thair horsis war takin with the haill careages : Argylis pavillion was cuttit in peces, and devydit amang the boyis to cover thair horsis.

Thair war fund deid on the feild, of Argylis cumpany, to the number of sevintene score men or thareby, and of Huntleis threscore, besydis thais that war evill hurt, and a great loss of horsis, and Huntleis horse was hurt in dyvers partis. Arroll himself was hurt in tua partis of his bodie. Achindoun was slayne, and dyvers uthers gentilmen of Huntleis cumpany evill hurt, and of bayth parteis never a preasoner takin. And becaus Capiten Ker behavit himself sa valiantlie that day, the tua erlis thoght expedient to knyght him presentlie in the feyld. This battell began on Thursday the thrid day of October 1594, at tua houris efternone, and lestit till foure houris.

Whill this is a doing, the King was still counsellit to haist his awin presens to the North : Proclamations war maid for all man to convoy him : sum war supercedit to remayne at hayme for sowmes of money, uthirs went mair for feare of puneishment then for any gude zeale to the caus, sa that the Kings cumpany was na great nomber when he came to S<sup>t</sup> Johnistoun. Argyle efter the feyld haistit to cum to the King, thinking to find him at Sterling ; bot be the way he was adverteist of the Kings progres, and thus came and adverteist him of all proceidings as thay fell out.

Then the King maid jurnay to Abirdene, whare he remanit be the space of a moneth and an half, accompaneit with thre hundreth waygeit horsemen, and thre hundreth futemen, with the rest of the noble and gentilmen of the north cuntrie. During the whilk tyme, sum of the pure people war hangit, the palice of Strathbogie was demoleist, the castell of Slaynis pertening to Arroll

consistoreis be command of the King, that as he was proscrip<sup>t</sup> be the ce vile law of the realme, and maid odious to the Kings lieges, that he sould also be excommunicat from the christien societie of men be the censure of the kirk ; and this was generallie proclamit throw all the kirkis of Scotland in the moneth of Februar. In respect of the whilk straitnes, Huntlie past in Almanie. And becaus the King had conducit with a marchand of Edinburgh, callit Frances Tennent, wha had prevat familiaritie with Bothuell, that he sould betray him, and this he promiseist secretlie to the King to performe ; bot be the contrare how sone he came to Bothuell, he immediatl<sup>y</sup> revelit the caus of his cuming unto him, and shew him what rewarde he had gotten, and offrit himself with all his guddis in Bothuels will, afferming that he wald not betray him for all the golde in the warld. Then Bothuell thankit him, and askit counsall what sould be best for him to do. It was answerit, that the best of all was to reteir him furth of Scotland, and the marchand sould fraught a ship to transport him whither he list. This was done, and behauld within few dayes, and be the benefite of fayre wynd, he saillit towart the coste of France, and landit at Newheavin in Normandie, at the mowth of the rever of Seine, where he was immediatl<sup>y</sup> revelit to the governor of that toun, and fra thence to the King, and consequentlie he fand na impediment to remayne thair. Althoght the king of Scotland hering of this, had directit a gentilman, callit Capiten Andro Gray, with letters to the king of France, desyring thareby that as Bothuell was a declarit malefactor and a traitor to his Majestie and his com-

monwealth, that he might be sent hayme to be puneist for his desertis, in example of uthers, or els baneist from thence : To this it was answerit be the Kings awin mouth, that he wald shaw na gude countenance to any of the King of Scotlands rebellis ; bot becaus Bothruell was a baneist man, he could not deny him the benefite of the frie aere of France, and in sa far he besoght the King to excuse him.

The slaughter of the Senator of the college of Justice, callit Mr Johne Grayme, with the caus thareof, and be whome, is sufficientlie declarit before. The Erle of Montroze was not onlie commovit hereat, bot avowit also to be revengit for the same ; and the committer of that slawghter hering of this, and being upon a tyme sufficientlie adverteist of the cuming of the said Erle and of his sone to Edinburgh, and was willit be indifferent freynds to reteir him quyetlie, becaus the erle was then over great a partie aganis him, in respect of his evill mynd and grudge consavit for that caus : His mynd was notwithstanding sa undantonit, and unmyndfull of his former misdeid, finding himself not sa weill accompaneit as he wald, he sent for freynds, and convocat thayme to Edinburgh, upon playne purpose rather first to invayde the said erle then to be invaydit be him, and tuik the opportunitie bayth of tyme and place within Edinburgh, and maid a furious onset on the erle, with gunnis and swordis in great nomber ; and the erle, with his eldest sone, defendit manfullie, till at last Sir James [Sandelands] was dung on his bak, shot and hurt in divers partis of his bodie and in the heid, straitlie invaydit to have

bene slayne out of hand, geve he had not bene fortunatlie secour-sit be the prowes of a gentilman callit Capten Lockart. The Lord Chanciller and Montroze war togither at that tyme, bot nather reverence or respect was had unto him at this conflict, the furie was sa great on ather syd, sa that the chanciller reteirit himself with glaydnes to the College of Justice. The magistrats of the toun, with fensible weapons, separatit the parteis for that tyme; and the greatest skayth Sr James gat on his partie, for he himself was left for deid, and a cusing germain of his, callit Crawford of Kerse, was slayne, and many hurt; bot Sr James convalescit agayne, and this recompance he obtenit for his arrogancie. On the erlis syd was bot ane slayne and many hurt; and this was done in Edinburgh in the moneth of Januar.

In the moneth of Julij, it fortunit a gentilman called Forester, ane of the bailleis of the toun of Sterling, to be violentlie murtherit and slayne, be the clannit men of Levingstoun and Bruce of the Kerse, without any notorious desert or knawin fault that Forester had maide aganis any of thayme. The caus of his slaughter was this. Tua gentilmen, ane callit Forester, and the uther callit Bruce, hapnit bayth to loove a woman, and as the ane preassit to prevayle above the uther, the factioun of thir twa drew freyndis to parteis and factions, and so at a meating, Bruce was hurt: And the rest of the Bruces understanding of this uther Forester (albeit he was na way a medler in that quarrell) to be in his vayage from Edinburgh to Sterling, thay belayd all the hie wayis for his returne; and thus wranguslie in his jurnay slew him with shots

and straiks. And becaus he was a speciall servand to the Erle of Mar, it was concludit that he sould be bureit with solemnitie in Sterling, althoght he was slayne in his passage nar to Edinburgh ; and from that place he was careit to Lithgw. The Erle of Mar assemblit manie of his freynds, and came with displayit baner, in feir of weare, upon the 12 day of that moneth, from Lithgw to Sterling, and careit the corps throw the lands of Levingstoun and Bruce, and cawsit mak the picture of the defunct on a fayre cam-mess, payntit with the number of the shots and wounds, to appeare the mair horrible and rewthfull to the behalders, and this way thay compleit his buriall ; and be reason this forme is rare, and was never usit in Scotland before, I have insert the same for the novaltie thareof, and that the rather, becaus I suppose sum certayne revenge sall ensew tharupon.

And as the murthor of the Erle of Murray was violent, and lamentit be all man, so that litill puneishment was usit for the same, and that the Duc of Lennox, be the ample auctoritie grantit unto him, had gevin pardon to certayne notorious actors of that murther, althoght not to all, the Lord of St Colme and Robert Creichton of Clwnie, be thair great industrie, layd spyis upon a barron in the north, callit Innes of Innermarkie, wha was ane of the speciall actors of that crwell murther, and obtenit a commission of the King to searche and apprehend him, that he might be broght to justice ; and this barron be chance came from his awin cuntrie in cumpanie of Makintosh, and an Angus Williamson, to Sterling, and frome thence to Edinburgh ; whilk vayage was sa

cleirlie notefeit to thayme frome place to place, that thay maid him na impediment, till he was cum to his farrest tryist in Edinburgh; and thair thay ombeset him sa straitlie in his logeing, that he was taken, not without great hurt of his bodie to have saifit himself, bot all for noght; for he was immediatlie takin furth perforce, and empreasonit in the commoun justice-place, on the 18 day of Julij, and on the nixt day he was beheadit in the common mercat place.

In the moneth of August, thair war great surmysis that the Queyne, the Lord Chanciller, the Lord Treasurer, the Lord Home, Sir Robert Ker of Cesfurde, and Sir Walter Scott of Branxholme knyght, and all bordor men from Drumfreis to Berwick, had maid a complot to have drawin the Prince, ather be slight or perforce, from the custodie of Johne Erle of Mar, and to depryve him from the keaping of the castell of Edinburgh, that the Prince might be keapit thair under the custody of sum of thais before naymit; and the King understanding of this be information of the Erle of Mar, he was eselie persuadit to beleve that it sould tend to some alteration of his estait, and to undermynd his auctoritie, to draw his realme in tua factions. Then the King came quyetlie to his palice of Halyruidhous, whare the Queyne was then resident, and sent chargeis to Edinburgh, that nayne of his nobles or counsall sould resort unto him during the space of 24 howris, under the payne of treason, till he sould send for thayme. In this meyne tyme, he so reasonit with the Queyne, that he perswadit hir to reteir from thence to Sterling, that the foirsaidis lords sould



not enjoy hir presence as a bucler or clocke to thair pretendit alterations. To this admonition she obeyit ; and then the King, in all diligence, sent for thayme, ane be ane, and bestowit manie words of reproche to ather of thayme, in particular ; and thar-after he reteirit himself frome Edinburgh, and returnit not till the Chancellor was deid. The Chancellor persaving the Kings grudge aganis him, consavit sa high melancolie, that a greavous seikness followit thareon that oppressit him sa havelie that it held him be the space of twa months in his new castell of Lawder. He sent for the preachors of Edinburgh, wha willinglie came to him, and gave him spirituall comfort. To thame he spak verie penitentlie, craving contenuallie Gods mearcie, and desyring thayme earnistlie to pray for him : That geve it sould pleas God to accept him in mearcie, to restore him to his health agayne, he sould amend manie enormeteis bayth of sawll and bodie ; he sould declayre unto thayme the faultis of the commonweill, and that he had bene a great trespassor in not doing sik maters as became him, and in committing sik things as became him not. The caus of all this was the instabilitie of his awin estait, (sayd he,) for sence his retourne from Denemarc, with the King, he was still sa unsure of himself, that he neglectit the commonweill, and had only respect to himself. The preachors maid daylie earnist prayers to God for him in presens of the people, and sum of thayme war frequentlie sent for, be reason the strenth of his bodie declynit daylie so far, so that in end he departit this lyff vpon the 3 day of October 1595.

The King, howsone he gat knowledge of his death, he callit to mynd what secret maters and previe devyces had bene amang thayme; and being surelie informit that nane of thayme was revelit during the tyme of his infirmitie, he composit a worthis epitaph upon the death of the said Chancellor, in signe and taikin of his dolent mynd that he sustenit for him, the words whareof are these :—

Thow passinger that spyis with gazing eyis  
 This trophæ sad of Deathis tryumphing dart,  
 Consider, when this utwart tombe thow seis,  
 How rare a man leavis heir his earthlie part ;  
 His wisdome and his uprychtnes of harte,  
 His pietie, his practise of oure stait,  
 His quick ingynie, so vearsit in everie art,  
 As equals all war ever at debait.  
 Then justlie hes his death broght furth of lait  
 A havie greif in Prince and subjects all,  
 That vertew loovis, and vyce do beare at hait,  
 Thoght vicious men rejosis at his fall.  
 Thus for himself moste happie does he déé,  
 Thoght for his Prince it moste unhappie be.

Uthirs sparit not to calumniat him efter his death, and caiste in thair cartels, in the Kings chalmer at Lithgow, under the obscure nayme of NEMO, as followis.—

*Nunc abiit qui tot tam læsus lumine læsit,  
Et finem fraudis, flebile funus habet.*

The epigrame maid be the King was translatit be a gentilman of singular learning, ambassador resident in Scotland for the unite provinces of Holland and Zæland, callit HADRIANUS DAMMAN À BISTERVELT.—

*Hoc mæstum intuitu figis quicunque Tropæum,  
Spicula fatalis quod statuere Deæ ;  
Cum tumuli faciem intentè circumspicis omnem  
Es memor, ut raræ vir pietatis erat.  
Hic infra magnæ posuit qui nobile mentis  
Eximium, et summam spe manet inde diem.  
Ut præstans animi ; ut nivea mens floruit illi  
Plena fide, et regni quam bene jura sciens.  
Ingenii ut vis omnigenas versata per artes ;  
Tanta homine in tanto dos cumulata fuit.  
Is abiit uper patriæ lacrimabilis omni  
Efflictim hoc regi condolere suo,  
Virtutem quicunque colunt vitiumque odere ;  
Mortem ejus quamvis expetiere mali.  
Fælix ergo sui, vitæ confecerat hujus,  
Curriculum, at res est Principi acerba su.*

In the moneth of August deit the Erle of Atholl, without issue

of airis maill : Wharefore that erledome returnit to the-croune, be an auld proviso.

The 15 day of September, a Baillie of Edinburgh callit Johne Makmorran was slayne be a shot of a pistol in the heid, be a scoller of the grammer-scoole callit Williem Sincler, sone to the Chanciller of Caithnes. The accident fell thus. In that moneth, prevelege was grantit to the scollers to play thayme for the space of 8 dayis onlie, and thais 8 dayis war so restraynit, be command of the ministers of that toun in thair sessioun, that the maister of the scoole, callit Mr Hercules Rollock, sould abyd and await thareon all the mornyng, and before noone to the mydday, in teaching and exercesing his scollers : This he exactlie obeyit. And becaus the scollers war wont in tymes before to obtene the prevelege in playing fourtene dayis without restraynt, and now thais eight dayis foirsaidis being so straitit, certayne of thayme consavit a libertine greif ; sa that at the end of the 8 dayis, whilk was a Sondag in the evening the 13 day of September, they entrit the scoole to the number of 16 young yowthis, the eldest of thayme exceidit not the eage of saxtene or sevintene yearis of eage, and thais the sones of gentilmen and barrons, saving onlie tua boyis of Edinburgh birth. Thay war sufficientlie armit with swordis and pistols : And on the morne efter that thay had surprysit the scoole, sum men of the toun came to thais scollers, desyring thayme to geve over, and to cum furth upon compositioun ; afferming that thay sould interceid to obteyne thayme the licence of uther eight dayis playing : Bot the scollers replyit, and said, thay war mokkit

nit and assistit him. The king, in the meyne tyme, was diligentlie and spedelie sollicite for the boyis lyff, becaus he was minor, and within the eage of 14 yeares ; and tharefore the King sent his letter to the magistrats of Edinburgh, desyring thayme to superceid thair jurisdiction to another day. The provost and baillies obeyit that charge : Bot within certayne dayis tharefter, he and his consortis war broght to the bar agayne. Thay war debaittit be freyndis, and great allegeances of the law, that justice could prononce na certayne thing aganis thayme ; and thus from day to day and tyme to tyme thay war so easit, till at lenth, ane after another, thay war all relevit from preason, sum for á condition, sum for another. Breiflie, the advantage heiroyf was convertit to the Kings use, bot na advantage to the partie offendit.

In the end of this yeir, the King being informit that the Turc was entrit Christendome with a potent armie, and his Majestie having favour to the christien caus and glorie of Chryst, thocht expedient to direct a condigne messinger unto the Emperour, and that was William Stewart, Lord of Pittinweme and knyght of Howstoun, with letters declaring that his Majestie was glad to understand his forwartnes in that gude caus ; and tharefore he promeist to mak sik assistance as he could in that purpose, to debell the great ennemie to our Saviour Chryst, and all his : To the whilk it was answerit, that the emperour sould send sum noble ambassador in Scotland, wha sould treat mair amplie in that purpose. And thus the Kings messinger returnit hayme with glaydnes in Scotland, in the moneth of December.

During all this yeir, thair was great scant of cornes, and exceiding great derth. The somer seasoun was sa raynie, that the maist part of the cornes war rottin on the grunde before that thay war cut doun, and the rest that was cut doun was spilt for fault of dry weather. Thair was also a great decay of the bestiall, and manie poor people deit for hungar, and sum of better estait had na better conditioun ; for thay war constraynit to sell the best of thair geir to supplie the gredeynes of mercats.

And becaus the murthor committit in Scotland was sa far owt of all measure and mearcie, be the treasonable use of pistols and small gunnis, tharefore the King, with avyce of his counsall, callit to mynd ane auld ordonance maid aganis the having and bearing of pistols ; that whasoever sould be fund to beir thayme nar the king be the space of ten mylis, he sould be tayne to the mercat place of the narrest toun, and the rycht hand dung from him. Immediatlíe efter that this ordonance was devulgat, thair war thré men fund in Edinburgh having pistols at thair belt. Thais war incarcerat, till a juré was callit to geve thair verdict on thayme, and thair the regour of the law was prononcit aganis thayme, and the men war broght to the execution place. Bot be reason this law was never put in practise before, and the thré convict persons war ignorant of the law, and had bene injurious to na man, and na uther person had debait aganis thayme ; for these respectis, the King was the mair eselie movit to shaw thayme grace and pardon, efter that thay had stand lang in presens of the people, to the great joy of all the behalders, and to the terror

of uthers that sould presume to be sa hardie to contravene that law in tyme cuming.

The King understanding the great appearance of revengeis to lurk in the hartis of men, be reason of auld debaittis; he thocht good to summond all parteis having controversie and deidlie feiddis, to compeir in Edinburgh, ather to be fullie reconcelit thair, or els to tak trewis for a tyme; and so he was determinat to have all parteis reconcelit. And before this tyme a litill, thair war manie incursions maid be the Maxwellis and their adherents, (as Drumlanrig, wha sustenit great skayth be Johnestons incursions, what be slaughter of his speciall kynnismen and freyndis, as also be loss of guddis, and casting down of his castell of Ross, and spulyeing thareof,) aganis Johnestoun, and be Johnestoun aganis thayme. Bot Johnstoun gat alwayis the upperhand, with great victorie, to the turpitude of thais honest adversar fameleis. In end the chief of bayth parteis war sent for, and incarcerat in Edinburgh, till ather of them fand cautioun for peax and quyettes of the borders for thair parteis, and promeis of restitution to ilk partie offendit, and that for the caus ensewing. . . . .

Whill thais thingis are happelie begun, the rumour is great, that Phillip king of Spayne, is to send ane armie to land in Scotland, for thair mair esie discent to invayde the realme of England, to revenge auld injureis. Bot becaus the ambitioun of the Spanjart to have dominioun, and to enlarge his provinces, for the meanest cawsis that have bene hard of, have had sik succes in uther kingdomes, it was thocht expedient heir that the haill peo-

ple of the cuntrie sould shaw thaymeselfis in armurie, all upoun a certayne day, whilk sould be the secund day of Februar in the yeir following, and to knaw wha war best myndit to the commonweill; that of thais he mycht chuse a nomber to resist the common enemie, that sould be all of a mynd uniforme. . . .

FOR begynning of the nixt yeir, the King finding the estait of his commonweill and hous to be far abusit, be sum singular previe courteurs as afore, and be corruption of certayne his officers of estait, wha travellit rather to inriche thaymeselfis and thair posteritie, than to do thair dewtie to the King and the croune: Tharefore he tuik a new order, and establist eight chosin men, to be of his perpetuall counsall, sik as apperantlie had gude knowledge of the estait, gude conscience to governe the same, and to rewll his famelie: To whais he gave sik full, frie and playne powar in all thingis, as may be patent be this Edict, whareof the tenor followis, as it was devulgat to the haill people of Scotland :—

FORSAMEKLE as We understanding the wrack and decay of our rents, be unprofitable dispositions out of the propertie of our croune, and collectorie of the thrids of kirk rents, and be neglecting of the commodeteis of the casualeteis of the croun; together with the nonpleneissing of our parks and steiddis, the incres of all feyis and pensions for keaping of castells and uthers, with the deminishing of our customes notwithstanding the incres of ships, and saillers, the incres of the dearth of all merchandice and vivers,



with the decay of our rents be the spoiling of the cunyée, the decay and ruine of our palices, castells, and munitions, with the daylie spending and wearing away of our movables without any helping or repairing thareof; as also that the estait, ordour and spending within our hous, is nawayis controllit nor keapit, according to the ordonance of our counsall and checker, sua that all things ar cum to sik confusioun, that efter tryall tayne, it is fund, that thair is nather wheat or beir, sylver, nor uther rent, to serve our hous sufficientlie in bred and drink, nor utherwayis. For remeid of the whilk disordour, we geve, grantis, disponis, appoyntis, and destinatis to the halding of our hous, the haill rents, mailles, dewties, fermes, caynis custumes, fishings, colhewis, casualeteis, and proffitts whatsumever of our propertie, collectorie of the superplus of the thrids of the benefices, and new augmentations, be the annexatioun of oure temporalitie of the kirklands to the croun. And we presentlie having all the saidis offices of comptrollarie, and collectorie of the superplus of the thrids of benefices, and new augmentations, frelie resignit, demittit and overgevin, be the former officers, possessors thareof in our hands, to be disponit at our pleasure, and having gude pruf of the qualeteis of the persons following, hes nominat, electit, and chosin, Alexander lord Urchard, President of the College of Justice, Gualter Commendatar of Blantyre, lord previe seill, Mr David Carnegie of Colluthie, Mr Johne Lyndesay Person of Menmore, Mr James Elphestoun of Invernochtie, Mr Thomas Hamilton of Drumcayrne, Mr Johne Skene, clerck of Regis-

ter, senators of the College of Justice, and Mr Peter Young of Seytoun our maister almosar, or any fyve of thayme to be the lords of our checker, induring all the tyme and space of thair lyf-tymes; gevand, grantand, and committand to thayme, the full and frie administratioun of the foirsaidis haill rents and dewteis pertening to the foirsaidis offeces, in sik ample forme and manner, and with als great powar, auctoritie and jurisdiction, as was grantit of before to a part of thayme be the act of Parliament, and articlis of Instructions adjonit thareto, anent the administration of the rents of the Morgonatik, and recompensatioun thareof pertaining to our dearest Queyne and bedfallow: Promittand, lyk as we be the tenor heireof, faythfullie promittis, *in verbo Principis*, that for eschewing of confusioun and disordour, whilk commonlie followis the overgreat multitude of counsallors, we sall not appoynt any maá counsallors, or obtrude any maá to be insert or adjoynit to this present commissioun at any tyme heirafter. And als that incace of any vacant place, be deceis of any of the present ordinar commissioners, or utherwayis: In that cace we sall present na uthir commissioner, to be ressavit and admittit be the saids lords auditors of the checker, except be thair awin advyce and consent: With powar to thayme to depryve and discharge all inferior Chalmerlans, under Collectors, Customers, Searcheors, Officers and intromitters whatsumever, with any of the saidis dewteis of the propertie, collectorie or augmentations: And siclyk to depryve all inferior clerks of the saidis offeces, and to appoynt new clerks, ressavers, and intromettors with

all the foirsaidis rents, belonging to the saidis offeces, for whome thay salbe ansuerable to us, and to the estaits of the realme : Excepting alwayis the Clerc of Register, his office, feyis, prevelegeis and uthers commodeteis whatsumever, pertening or belonging to any of his predicessors ; with powar also to thayme to heir the comptis of Shirreffis, Stewartis, Bailleis, Provostis, Eldermen, and bailleis of burrowis, customers, Clercs of coquet, Searcheors, Chalmerlans, Ressavers, fewers and intromitters with the mailis, fermes, proffettis, and dewteis, caynis, custumes, fishings, colhewis, parks, stedings, orchards, and uther rents of the propertie, annexit of auld, or newlie annexit or unannexit, and belonging in any wayis to the patremonie of the croune: As also to heir all the unmaid comptis of the treasurer, and his deputtis, of the generall and wardan of the cunyé ; of the takkismen and lauborers of the mynis and mettels ; of the collectors of the taxations ; of the keapers of the garderob, jowels, and moovablis ; of the maister of wark ; of the munitions, and pleneishing in castels ; of the monks portions ; of the payment of the gayrde, and men of weir ; of the rents of the collegeis, hospitals, scooles, and students ; of the common gude of burrowis ; and of our tocher, and of our haill money whatsumever, alsweill within the realme as cuming fra uther cuntreis ; and to allow or refuse allowance thareof ; with powar, also, to appoynt and set fynis and penalteis for offences, and to mak and set down the pryces of the wynis yeirlie, and of our victuals and caynis. And to mak and performe the order of our hous, equirie and stable, and provesion of the

same, with the feyis and waygeis to be payit to whatsumever persons : To considder, and repayre the decayit custumes, and appoynt the order of the uptakking thareof, and to rowp and set the same : To considder the proffet and skayth be the present cunyé to ws and the commonweill, and to direct thareanent as thay sall think maist requisite : With power, also, and expres commision to the saidis lordis, or any fyve of thayme, to be assessors to the treasurer and compositors in all signatures concerning the treasorarie, without whais advyce nathing of donation sall have place : The diligence of sherriffis and other inferior jugeis to inquire, and to examine thair offences and negligences ; together with the faultis of officers of armes to cause correct and puneish : With power also to intromet, uptak, compone, transact, and aggrie, be sik as thay sall aggrie, or sik as thay sall appoynt to our behuve and utilitie, all escheits of sik persons as sall be denoncit to the horne be thair awin decreits, acts and letters, and to consider, do and performe all things committit of before to the checker ; with sik place in counsall and parliament as the saidis officers had of before ; and with all jurisdiction, powar and preveleges, honors and immunitis, belonging to the checker of auld, be actis of parliament, or consuetude of this realme. Declarand and promittand, *in verbo Principis*, that we sall not subscriyve anie letter or signature concerning the dispositioun of any of our rents of propertie, collectorie, or of the new augmentatioun foirsaid, confirmatioun, renewing, or ratification of any former giftis, dispositions, pensions, or infestments thareof, or any uther part of the same, or let-

ters of licence for transporting of forbidden guds : And als that the saidis letters and signatures sall not be valable or admittit in any jugement, or be anie warrand to any register, signet, or sele, without the same be first red, hard, allowit and subscrivit be the saidis lordis auditors of our checker, or any fyve of thayme sittand in counsall, and tharefter presentit to ws be thayme, or ony ane of thayme, havand powar fra the rest, as now succedand in the place of the ordinar officers, to whom the said presenting and subscribing of the saidis signatures appertenit of before : And in case any signature or letter pas utherwayis, it salbe null, be way of action, exceptioun, or reply, albeit the seillis be appendit thareto : Dischargeing the keepers of the registers, signet, previe seill, or great seill, of all registrating of the saidis letters and signatures, and of all affixing and appending of signet or seillis thareunto, except the same be first subscrivit be the nomber of the lords and in maner abone rehearsit, under the payne of tynsell of thair offices, by and attoure the nullitie of the saidis letters to be wranguslie registrat, or past be thayme utherwayis nor is heir prefixit. And forder, we declayre, that na suspensioun of any comandis or chayrgeis for ingathering of any part of the saids patrimonies sall pas, except in checker or session sittand, and thré of the saidis lords auditors of the checker subscrivand the same, as said is. And for the mair securitie, we ordayne this present commissioun to be actit and registrat in the buikis of secret counsall and sessioun, in taikin of all thair consents heirunto, and approbatioun of this present commission : In con-

trar, and to the derogation whareof, the saidis lords sall do, decerne, juge, or pronounce nathing, bot sall proceid conforme heirunto in all poynts, whill the nixt parliament. At the whilk tyme we promit, *in verbo Principis*, to caus ratefie the same be the estaits, and ordaynis, that in the meyne tyme, letters of publicatioun heirof at the mercat croce of Edinburgh, *tanquam communis patria*, pas heirupoun, that nayne of the lieges pretend ignorance heirof; and that the saidis lords of our checker, sall have powar to direct letters of horning, poynding, warding, and als captioun upon thair awin actis, decrettis and ordonances, in sik ample forme, as any Lords auditors of the checker had of before, as at mair lenth is contenit in our commissioun, gevin, grantit and subscrivit be us, and lykwayis approovit and allowit, be the lords of our secret counsall, at Halyruidhous, the 9 day of Januar instant. OURE WILL IS heirefore, and we charge you straitlie, and commandis, that incontinent thir our letters sene, ye pas, conforme to the command gevin be us, and contenit in the said commissioun, to the mercat croce of our burgh of Edinburgh, and uthers places neidfull, and mak publicatioun of the premissis, to all our liegis and subjects, that nayne pretend ignorance heirof in any tyme cuming. Commanding thayme, and speciallie the clerks, wrytters to our seillis, and keepers of the Registers of the Propertie, Collectorie, Casualiteis, and Treasorarie of augmentations pertening to us, that thay and ilkayne of thayme acknowledge and obey our saidis counsallers, and lords of our checker, and keap and observe all clausis and articlis contenit in our said

commissioun, and fulfill and obey all injunctions and commandements, whilkis salbe geaven to thayme, to our weill, honor and proffet ; cheiflie, seing our saidis counsallors, and commissioners have maid fayth solemnatie to us, that they sall without favour or any particular respect to thaymeselfis, thair kin, freyndis and allyá, do thair exact diligence, as thay sall answer to God, us, and our thré estaits, to repayre the decay, and wraikit estait of our patremonie, and to restore the same in sik forme and integritie, as is lesum and permittit be the lawis of our realme, and sall minister the benefite thareof to all our lieges indifferentlie, that nayne of thayme sall have just occasion to pleyne thareof : With certeficatioun to thayme that failleis, and dois in the contrarie, thay salbe callit before us, and puneist as ennemeis to our commonweill, perturburs of the queytnes of our realme and estait, and contraveners of our lawis, &c. Gevin under our signet at Halyruidhous the 12 day of Januar, 1595.

Heirby it apperit, that all cevile warre sould ceis this yeir ; peax sould be callit hayme agayne ; the furie of armes sould be layd doun ; strength sould be restorit to the lawis agayne, auctoritie to jugement, and majestie to the senat : The impyre of magistrats being now reducit to the auld integritie, and the ancient face of the commonweill dekkit in the awin estait : And so consequentlie the grund sould yeald the auld fertelitie ; godlenes and charitie sould be ingraft in the hartis of the people ; men sould leave in sik sweat securitie, that nayne sould bewrangit in his awin

possessioun, in respect that thus the lawis war proffitable to be amendit, equalie distrebutit, and justice so ingraft in the hartis of the Senat, that all particularitie was apperantlie fullie baneist, &c.

Bot thir lords being anis estableist in thair full and heighest auctoritie, thocht that thair was na securitie in thair standing, unles thay first investit thaymeselfis in uther menis offeces; and first thay began at the Lord Advocat, being at that tyme auld and seiklie in bodie, perswading him with fayre tearmes to resigne his office in the Kings hand, alleging that be his imbecillitie he myght na langar serve; and tharefore the King, of force, wald substitute another in his rowne. And althocht he was oftymes perswadit and terrefeit to this purpose, yit he wald never yeald to any demissioun. And thay finding him obstinat, choose owt ane of thair awain number, to wit, Mr Thomas Hamilton of Drumcayne, to searve in that office, and the uther, hearing of that, conseavit sik melancholie, that haistit his auld decrepite dayis to the death. Then thay dealt with the Lord Treasurer, and with his deput Sr Robert Melvill; thay exactit a strait compt of thair offeces, be examinatioun of comptis preceiding, and be comptis unperfytit, and fand sum particulers not sa weill usit as neid war, be veseting of the buikis of prevè seale, and uther strait tryals not usit afore. Thay war put to sik poynt, ather to refound bak agayne great sowmes of money to the King, whilk they war unable to do, or els to quit thair offeces; and so thais war bayth dischargeit, and thais thair offeces war convertit to the Prior of Blantyre. Last of all, thay dealt with the Provost of Lynclowden, collector-generall,



be the same forme, sa that he was compellit to demit his office in thair hands, and the same was convertit to . . . . . Siklyk thay delt with the Lord Secretarie, and cawsit him demit his office to Mr Johne Lyndesay, person of Menmore, for exchaynge of the office of the lord of previe sele, whilk office the Prior of Blantyre had of before.

In the end of this foresaid moneth of Januar, Sir Walter Scott of Branxholme, knyght, Barron of Balclewch, and Lord of Liddisdail, nevoy to Archebald earle of Angus that last deceist, and narrest ayre of blude to that earledome, he held a day of trewis be his deput, Walter Scot of Gowdelands, at the marche of Kershope ; and the lord Scroope, lord warden of the west marches of England, met be his deputtis at that same marche, for performance of justice, as use is ; and in the end of that meating, it fortunat sum insolent Scottish bordorers to be ryding nar these bounds, doing violence in England, and the veritie thareof being notefeit to the Inglish deputeis, they immediatlie complenit to the deputie of Scotland ; and he with great humanitie and reason maid answer, that geve it could be fundin that thais Scots war any indwellers within his bounds, he sould with all diligence apprehend thayme, and sould send thayme with diligence to the lord warden, without any restraynt of conditioun ; and this answer was taikin in very gude part ; sa that the deputeis the mair willinglie maid an end of that thair meating ; and indeed the deputie of Scotland was scantlie accompaneit with 20 men in number ; amang whais was, Williem Armestrang of Mor-

ton, als callit Will of Kynmonth. At ilk meating on the borders, the use is, that the deputeis do crave to have trewis, ane of another, fra the hour of thair meating (for samonie persons as thay have in cumpanie for that time) to the nixt morning of the sone rising. But the parteis being thus departit asunder, and the deputie of Ingland, being then accompaniet with the nomber of thré or foure hundreth armit men, they followit upon the insolent Scottishmen aforetauld, and chaissit thayme within Scotland a great way : During the whilk tyme Kynmonth was ryding on his hie way hayme to his awin hous ; and the great cumpany of Ingland rynning that same way, dang him to the ground, perforce wittinglie and willinglie, notwithstanding of any crying or showting that he might mak for his saiftie, and convoyit him preasoner perforce to Carlisle castle, aganis the nature of the general peax, and of the contractit trewis for that day ; wharin thay detenit him almaist be the space of thre moneths, for any wryting that ather the king of Scotland, Mr Bowes ambassador for Ingland, or the noble lord of Liddisdail for Scotland, could send. The lord Scroope behavit himself so straitlie in that mater, that he wald do na kind of reason. And notwithstanding that last of all, the Queyne of Ingland was sufficientlie adverteist heirof, and in dew time be hir ambassador, yit the answer was sa slaw in deliberatioun, that the noble lord finding sik delay on all hands, and sik strait disloyaltie on the part of the lord Scroope, he thocht gude to essay ane extreme meane, whilk was, be a stratageme to recover the preasoner, thus unlaughfullie detenit, whais restitu-

tion had bene sa aft lauchfullie requirit ; and tharefore he causit mak a number of ledders, to scale the wallis of the castell of Carlisle, and cawsit a number of great hamers to be careit thither for brekking up of durris, and sicklyk sum instruments of yrne for undermynding of passages competent to mak sum frie entrie for assault of the said castle. Bot when the ledders were set to the wallis, thay war persavit to be short and unfit for scaling, and tharefore the irne instruments war usit under a bak yet, that lyis to the west wall of the castle : Be the benefite whareof, a passage was maid at the first, sa patent, that à singular man myght eselie enter ; efter him passit another, and sa consequentlie a dusayne, and thais brak the dur within all in peeces, and be that meanes maid ane esie patent passage for another dusayne of gentlemen ; whomof à partie stude still to mak that passage patent, (and that was sax men in number) to be esie for thair retrait. The rest of the number of 24 men, past to the chalmer dur whair Kynmonth lay, and brak it up perforce. Immediatlie and at thair first entrie, thay war resistit be sum few number of watchemen, bot thais war sone repulsit, and dung in sik sort on thair baks, that thay war maid unable for any more resistance at that tyme. Then in taikin of thair saif entrie and gude succes in passage within the great court of that castle that lyis to the west, the Scottish trompet sowndit mightelie, and maid sik noyce within that castell, that it was hard throw all the partis of the toun be the space of thré quarters of an houre ; for the castell is situat on a great eminent height above the toun, circuit with wal-

ter and strang fowseis at all partis. And the noble lord of Liddisdail hering the signe within, cawsit his troupes of horsemen without mak a loud clamor to incurage thais thair companions within. Bot at the first entre and dealing with the wachemen, the bell of the castell soundit a fray, fyre was kendlit on the top of the hous, the great bell of the cathedrall kirk was rung for correspondance, the watche-bell of the mute-hall (whilk is the common place of justice in Carlisle) was also rung for harmonie; and to conferme the fray the more, the drum of the toun soundit allarum uncessantlie: all the people war perturbit from their nocturnall sleap, then undegestit at that untymous hour in the night, whilk was about twa of the clock, with sum darknes of the aere, cluddie wether and a saft rayne, whilks ar noysum to the delicat persons of England, whais bodeis are geavin to quyetnes, rest, and delicat feading, and consequentlie desyrus of more sleap and repose in bed. Whereas be the contrare, this seasoun of wether was verie fit and convenient to the assailyeants, the greatest nomber whare of war ordinar nycht-walkers; for be the darknes of the nyght they approchit the wallis without impediment, and usit a subteltie to put a whyt marc on ather of thair heids for the mair esie discerning ane of another. During all this great tryumphing noyce within the castell, and the tymorous effrayit noyce without, the assaulters had broght furth thair cuntreman, and convoyit him to the court, whare the lord Scroopes chalmer hes a prospect unto, to whome he cryit with a lowd voyce a familiar gude nycht, and another gude nycht to his

Constable callit Mr Sawghell. In this meyne tyme, thair hapnit a gentilman of the Constablis callit Spenser, to cum doun naikit from his bed to knaw the fray; bot he was immediatlie layit hands upoun, and broght furth to the lord of Liddisdaill; bot he courteouslie demittit him, with commendations to his maister, as to a more worthie man then the cheif warden, (as he then sayd;) with this chayrge, that he sould immediatlie adverteis the lord Warden, that it was he the lord of Liddisdaill wha had done that stratageme, and tharefore, geve he wald shaw himself, as a marciall man, worthie of that rowme and honorable place that he was into, that it sould pleas him to cum furth to follow him, and seik a revenge; and so he ressavit Kynmonth in saiftie. Bot it is to be notit, that during all this whyle that the 24 men remaynit within the castell, the Lord himself keapit a trowp of horsemen upon the playne feild, at a new bridge callit Caday, that standis at a sowthwest entrie to Carlisle, to assaile the people that sould ish furth at that passage; and also he had his watches placit upon the small montaynes that ar on the prospect of the north syd of Carlisle, for the lyk fine, that he might be immediatlie adverteist be thayme for the saiftie of his horsemen; bot na cumpany sortit. Tharefore he usit the rest of his skill of re-trait with great laser, and perpetuall sownding of the trumpet, denoting gude succes, till he came to ane eminent part in Ingland upon the watter of Esk, nar unto Scotland, whare a number of the clan of Graymes have thair habitations, and ar unfreyndlie men to his hous of Balclewch: Thair he rayngeit his men in

ordour, he shew thayme be a circuit, and thus with sound of trumpet he saiflie returnit in Scotland that same morning, with fayrewether, and the shyning countenance of the bright sone. This was done the 12 day of Apryle, in the yeir of oure lord 1596.

In the moneth of Maij the nobles of Scotland convenit at Halyruidhous, to geve thair advyce and counsall to certayne of the kings effairis. At the whilk tyme, the king proponit unto thayme how greatlie he was prejugelit of his rents in the Ilis of Scotland : That it war neidfull to send an ambassador to France for renewing of peax : That it was necessar to put a moderat pryce on the coyne of gold and sylver, the dearth whareof was the onlie caus of the dearth of all uther things in the land : As also that severe cognition sould be tayne of the effairis of the bordors then trublit, becaus the ambassador for the Queyne of Inghland had compleynit havelie agains the lord of Liddisdail, the sowme whareof the King recitit thair in thair presence. When his Majestie had thus endit, it was thocht necessar be the Lords and Commissioners thair present, that his mynd sould be geven in be writ, to be advysit upon, that condigne answer sould be gevin thareto. Tharefore the Ambassador gave in his desyre, the sowme whareof was, that becaus the lord of Liddisdail had invaydit the Queyne of Inghlandis hous of strenth, and tharin had hurt hir subjects to the great effusion of thair blude, had done violence and dishonor to hir cuntrie, and to hir warden in tyme of sa great peax betuix the tua realms ; tharefore he desyrit,

that the said Lord myght be sent in Ingland as captive, thair to be puneist at the Queynis arbitrement for his demeritis. This proposition was stranglie disputit upoun at the convention : The King himself reasonit the mater for Ingland, and the new lord Secretarie reasonit for the defence of Scotland, in nayme of the haille convention, and for defence of the lord of Liddisdaille : And amang thayme all it was fund, that the Secretaries reasons war better then the Kings, and therefore it was voitit, That incace it sould pleas the Queyne of Ingland to have the mater tryit, it sould be necessarie that Commissioners sould be chosin for bayth the Realmes ; and as the fault sould be fundin and tryit be thayme, the ordor of redres sould be also at thair arbitrement. Bot as for the delyverie of the lord of Liddisdaille in Ingland ; the lord President said in oppin audience with lowd voyce, for his vote, that he knew weill, that the Queyne of Ingland wald not demand sik a mater in effect, or earnest wayis, and therefore it sould be thocht tyme sufficient for the lord of Liddisdaille to be sent in Ingland, when it sould pleas God, that the King sould be reddie in person to pas thare, and na soner. This deliberat answer be the mouth of the haille assemblie was delyverit to Mr Bowis ambassador, be certayne Lords expreslie chosin to that effect.

It was forder decreit at this convention, that the King sould pas in person to the Islis of Scotland, to the end his subjects sould recognosce him as thair laughfull king, with service, and all uther dewteis doing.

Item, becaus a number of strayngers war cheritable entrit the

heavening ports of this realme, with aboundance of cornes, to supplie the great scant and necessitie of the land, of whom the magistrats, and uthers thair officiers of customes had tayne great exactions, besyd gude law or conscience, tharefore it was decreit, and publicklye proclamit, that thais exactions sould be repayit to thais that war present, and a defence maid that nayne sould be takin in tyme cuming.

The ministers in lyk maner for thair part, desyrit the rents and lands of the excommunicat lords, to be bestowit to the croun, as rebellious to God and man. To this the King answerit be the mouth of the convention, That incace thay could proove that thais lords, sence thair departing from Scotland, had trafekkit with strayngers, to the prejudice of his croun, to the alteration of the stait of the commonweill or kirk ; in that cace, he wald obey the petitioun. And tharefore becaus thay could not qualefie that mater then presentlie, it was defferrit to another tyme.

. . . . .

The 15 day of August, the Queyne was delyverit of a ladie in Falkland, and baptesit be the nayme of Elizabeth. I maid mention afore of the number of eight men of the Kings choice, who governed his effairis verie weill. Bot certen persons commoovit in ther myndis aganis sum of these Octaviens, careit sik invy, as they commoovit a preacher of the toun to suscitat the people in armis aganis them ; and thereafter that same day and tyme, the King



revengit, praysit God for the same, and so contentit ther myndis with saiftie of the King. Therefter his Majestie came to Edinburgh, and there at the Mercat Croce, in presence of the people, declarit the treason intendit aganis him, and how be the grace of God he was set frie fra the same, and therfore desyrit the attestation of the ministers of Edinburgh for ratification of that purpose, to be declarit be them in the kirk to the people, whilk they utterlie refusit. Bot Mr Patrik Galloway, then his Majesties ordiner minister, as the King maid his narrative first, so did he with lowd voice to the people ther assemblit to verifie all that the King spack; and this was done in presence of the noblis ther assemblit with him, who were nominat before; and therefore the King cetit them to compeir before his counsell, whilk they also disobeyit, and therefore wer baneist for a seasoun, whilk sum of them repentit, and sum not; sik as repentit wer cetit to returne to ther placis of exercise, uthers commandit far af. And as the revolution of that day came, the King commandit that same day to be keapit in reverence, with prayers and devotioun, for remembrance of his saif delyverie; whilk hes bene solemnitie keapit since that tyme to this day, 1615, baith in Scotland and England. In the meyne tyme, the Erle of Gowrie was forfeited, his house ordaynit to be demoleist, and his nayme ordanit to be put in obliuion, so as nather man nor woman mycht enjoy the nayme of Ruthven heirefter; and albeit his rents were ordanit to appertene to the Kingis crown, yit they wer utherwayis bestowit.

Duc Charlis, the Kings sone, was borne the 20 day of No-

vember, and was baptesit the 23 of December, and installit Duc of Albanie, Marquise of Ormont, and Erle of Rosse. That same day, Robert Lord Seytoun was installit Erle of Wyntoun; the Lord Livingstoun, Erle of Lithgow; and the Knycht of Cesfoord, Lord of Roxburgh; at the whilk tyme the King, with advice of his counsall, obtenit a pecuniall impost of foure pundis money upon everie tun of wyne.

The Erle of Mar was directit ambassador in Ingland secret- 1601.  
lie; and ther the Queyne manifested hir mynd unto him, that the King sould be hir infallible successor, and this was so quyetlie keapit, as the mater was not divulgat till the nixt newis wer broght, as ye sall heir; and he returnit the last day of Maij.

The Erle of Essex being tryit for disobedience to the counsell of Ingland, and a moover of uprore in the citie of Londoun, was beheadit ther for the same.

In the moneth of Januar the nixt year, 1602, the clan of the 1602.  
Makgrigors committed great oppressioun and violent slaughter over dyverse peceable people in the provence and erledome of Lennox; wherat the King was so offendit, as he causit sik incursions and invasions be maid aganis them, as ther chief, with sindrie of the best of that genealogie and clan, wer apprehendit, convoyit to Edinburgh, and ther put to death; and the rest so hetlie and quicklie persewit, as they were compellit ather to leve ther land waist, to hyde themselves in secret partis, (whilk availit

noght,) or deny ther naymis, and duell in ane uncouth province far frome ther awin native soile, and thus ther tyrannie was revengit.

1603. The xix day of Merche, 1603, Elizabeth, Queyne of Ingland, became so seik in bodie, and waik as was possible ; bot before hand she had manifested hir latter will and legacie to the Erle of Mar, and thus nominatoure gracious King James the 6. to be hir successor ; and she ordanit, that howsoone she wer deid, that he sould be solemnitlie proclamit in London, King of Ingland, Scotland, France and Ireland, as narrest and sibbest to hir of the blood royall of Ingland ; and the most worthie besyde, for congruitie in religion and language ; whilk was done, and the newis wer careit heir be the vigilant diligence of a worthie Inglish knyght, callit Sir Robert Carie. Therefter, the keyis of Berwick were brocht in be Mr John Bothuell, Lord of Halyruidhous, who was expreslie sent be the King for that purpose, and the keyis of the Toure of Londoun be the lieutenant therof ; and so the King tuik jorney toward Ingland, prencelie convoyit thither be his noblis and men of auctoritie heir, and met ther and conveyit from shyre to shyre ; and upoun the 15 day of Julij, was crownit King at Londoun.

Therefter the King sent to Scotland, and desyrit sum of his awin chosin men to repair to the court at Londoun, and ther to consult with uther chosin men of that cuntrie, anent the Unioun of the tua Kingdomes, and the customes, and of all uther materis

of importance that mycht mak divisioun amang them ; whilk was obeyit be the gentilmen of Scotland, with report of prayse on ther behalf, be the commissioners of Ingland ; and a new coyne of new prent was devysit, in golde and sylver, whilk sould equallie serve all the thrie nations, with ther severall armoris in one sheild ; wher and when also, new erlis, lordis and knychtis were erected.

All erlis, lords and barrons, were ordaynit to produce their 1605. writtis and ancient rychtis, wherby it mycht be knawin who of them wer eldest in renown, that conforme therto everie man sould enjoy his ordinar and ancient place and rowm at the tyme of Parliament, or Conventioun ; and in the meyne tyme, a new forme of a parliament rob was devysit to ilk erle and lord, as thay sould ryde in Parliament, and another sort of rob devysit for the Senators of the College of Justice, to weir daylie going to judgement, and cuming therfra, wherby thay might be knawin and recognoscit be uther sort of common people.

And Sir George Home of Primróknow, knycht, was installit be the King a Knycht of the Garter, Erle of Dumbar, Lord of Berwick, and Great Thesaurer of Scotland ; the Lord Fyvie erectit to be Lord Chancellor, and Keaper of the Great Seill ; and ather of these two had a mase of sylver, overgilt with golde, careit before them, for reverence of ther offices. Bot the Erle of Dumbar levit not lang efter this promotioun ; and fayme and nayme and all decayit togither.

In the moneth of Julij, the King dischargeit anie conventioun,

or assemblie of ministers, to be haldin at anie part or place in Scotland, without his Majesties permissioun ; nochtwithstanding whereof they held assemblie at Aberdene, with verie few in number, wher they wer dischargit be a gentilman commissioner for the King, and the same discharge publiklie proclamit at the mercat croce ther ; for the whilk caus sum of them war baneist, and a strait command gevin to magistrats, and uther officers of burrowis, that in cace any preacher sould speik opinlie aganis that baneisment, or for defence or mentenance of that assemblie, or pray publiklie for ther saiftie, that they sould be noted and manifested to the secret counsell, and corrected for their fault.

In the moneth of November a Parliament was decernit to be haldin in Londoun, wher the King, Queyne, and tua Prencis, sould have bene present, with all the noblis and members of stait in Ingland, sould have resortit. Bot the conventioun was stayit be sum sure intellegence of intentit treasoun, devysit for exterminion not onlie of the King and his progenie, bot of that haill noble Court of Parliament, and that be the devyce of gun poulder, tymber, and uther fyre instrumentis, layed and preparit in the under hous, for the performance of that mischevous act, gif it had not bene be the permissioun of God Almightye tymoslie prevented ; whilk was cleirlye notefeit, first be a secret letter of a gentilman, writtin to a noble freynd of his, who sould have bene a member of the Parliament hous, dischargeing him, as he loovit his lyff, not to resort thither that day ; and the notice heirof cumming from hand to hand with expeditioun, at last his Majestie was maid pre-

vie therunto; for the whilk cause it was devysit that the nether hous sould be searchit, and thus the great quantitie of barrells, fillit with gun poulder, tymber, flax, and all uther fyrie maters wer fund: And so the Parliament hous was maid mair peceable. The Erle of Northumberland attented for the same, and committed to the Towre, and dyverse uthers puneist to the death.

The nynteint day of Julii, 1606, the King of Denmark landit 1606. at Harwitch, in Ingland, and raid post toward the King and Queyne, wher he was prencelie welcomit, and propynit the prince with a new ship, and returnit in August.

And for pacefeing the borders on both sydis, the King ordayned the Erle of Cumberland for the Inglish syde, and the Erle of Dumbar for the Scottis syde, to try and puneish all malefactors, on all hands, for the tranquillitie of baith the kingdomes; whilk was perfectlie accomplieist be them baith with rigour and diligence.

The Lord Maxwell escaiping waird from the castell of Edin- 1607. burgh, hurt dyvers of the officers in the nycht at his away passing, and thus was baneist Scotland, and forfeited in the next Parliament; and at his returne was apprehendit, committed to strait waird, and brocht to the place of execution at the mercat place of Edinburgh, wher he lost his head, without mearcie, upon the 21 day of Maij, 1613, becaus he had killed the Laird of Johnestoun under traist, who before had killed his father in opin hostilitie.

1608. Mr James Elphestoun, Lord President of the College of Justice in Edinburgh, was desyrit be the King to repair to his presens at Londoun; and he suspecting no evill, preparit himself for the jorney; and as he is cum ther, he was havelie accusit be the King prevelie in his chalmer, for intysing him to subscriye a letter, whilk, geve he had knawin, was far aganis his hart or intentioun. This letter, indeid, was sent and directed be this senator lang before the death of Queyne Elizabeth, becaus it was constantlie belevit at that tyme that the croun of Ingland sould not have bene peceable obtenit, bot be strang hand; albeit the contrar hapnit, as God wald. For the whilk caus, the King was constraynit to implore help for obteyning of the same at all hands whosoever, and amang the rest, at the Pope; as the said letter was directed on the back to his holenes, and sent away be a gentilman called Drummond. Upon the whilk occasioun, it fell owt that the Kings nayme was insert amang the catholic and christian number of prences at Rome; and a publik book set out be a Thologue, callit Bellarmine, first in prayse, and nixt in dispraise, of the King, for his inconstancie; whilk ather behoovit to be trew, be the letter writtin and subscrivit be his Majestie, or els untrew, be his variance sensyne: And this book, as the King thoght, imported sik infamie to his Majestie, as he could not stand content till the author of the sending of that letter wer condignlie puneist for his fact. So now ye have hard sufficientlie the caus of his sending for, and restis to be declarit how the King accusit him; allegeing that it could not proceed of his inventioun to writ

to the Pope as holie father, who before, extant in prent, he had callit Antichrist ; and therefore the senator was bot fals and untrew in so doing, aganis the King to his great prejudice : Whereupon it followit, that he was desyrit be the counsall of Ingland to repair amang them as ane of ther number, with his rob and uther ornaments pertenyng to that office, whilk he did, and ther his frok was pullit over his heid, and rent in his presence ; his gown tayne bakwart af fra him ; his knyghtlie sworde brokin ; and his infamous nayme proclamit at a wyndo, and defamit for the former fact, and degraduat from all honor or office that he had in Ingland before that day ; and sent hayme in Scotland ignominoslie, wher for a seasoun he was committed to strait waird, thereafter tryit be a condigne jurè, convict be them, and convoyit per force to Edinburgh, wher dome was pronuncit aganis him, that he sould be led to the place of executioun, and ther to lose his heid. But that doome took never effect ; for the Erle of Dumbar was remunerat to procure his lyff at the King's hand, and so he leevit a quyet solitarie lyff thereafter, till seiknes overtuik him, wherof he deceist in the moneth of Junij, 1612.

The King maid electioun of a certan number of the maist learn- 1609.  
it and godlie ministers of Scotland, and bestowit bishopreis upon them, whilk of a lang tyme before was desert ; as also for establishing a good order in the kirk, for sik caussis as I have at lenth set doun before ; and in the meyne tyme dischargeit all assembleis ather generall or particuler as the ministers wer wont to keap of



before ; and commandit that the bishops sould be intitulat Reverend Fathers in God : And least it sould be opponit that thay wer not laughfullie callit, sum of thayme went to Londoun and kneilit to the maist ancient bishop ther, and ressavit impositioun of hands ; and these do bestow the lyke heir, to the new intrants of the lyke or inferior office in the kirk at home.

The Erle of Orknay was committed to preasoun, first in the Castell of Edinburgh, for dyvers oppressiouns done be him to the Kings subjectis ; and contenewit ther a lang tyme and manie yearis, and was accusit for the same dyvers and sindrie tymes, judiciallie, and continewit from tyme to tyme and from year to year ; thereafter sent to Dumbarton Castell, and from thence to Edinburgh Castell back agayne ; and being straitlie keapit in the Castell of Dumbarton, sum Lordis of the Secret Counsell wer directit unto him be the King, with offer of ane of his four palecis, viz. ather Halyruidhous, Lithgow, Stirling, or Falkland, with the commoditeis thereof, with ten thousand pundis of rent, upoun conditioun that he sould renonce all propertie and rycht that he had or could pretend to the Erldome of Orknay in the Kings hand ; whilk he playnlie and absolutelie refusit : Wherefore he wes brought back to the Castell of Edinburgh, and ther keapit so strait as could be devysit : And whill he yit remaynit in Dumbarton, he directit his page with a letter unsubscrivit with a message to his sone Robert and certan uthers, to keap and menteyne the Castell of Kirkwall in Orknay, with sik defence possible, aganis all that wald or could assaill the sam. This boy thereafter past in Flanders for fear of

tryall, bot was broght bak agayne be the Kings procurement, to serve for a proof aganis his maister. And now becaus the said Erle wald nocht condescend to resigne (albeit he was drownit in debt, and the Kings Majestie maid assignay therunto be Sir Johne Arnot of Berswick, knycht,) and the King sufficientlie instructed in all, it pleasit the Counsell of Scotland, at his Majesteis command, to accept and allow of the Erle of Caithnes to pas with all instruments of invasioun aganis the said castell of Kirkwall, whilk he invaydit so fearcelie, as the keapers gave over; and so he conveyit sindrie preasoners therfra, as naymlie the said Robert, then Capten, and dyvers uthers, and conveyit them to Edinburgh, wher they wer tryit befor the Secret Counsell for their attempt; and sum of them confronted with the said Erle, and so fand him giltie; for the whilk occasioun he was remitted to the Castell of Edinburgh agayne, ther to remayne in custodie; and so being arreisted *apud acta*, to underly the law agayne the moneth of Februar nixt, he was demitted. Bot his sone Robert, with certen of his complecis, wer all hangit in Edinburgh, tryit as giltie of treason at the Erle of Orknayis command. This was done in the begynning of Januar the year of God 1615: And upon the first day of Februar nixt, Patrick Erle of Orknay was convoyit from the Castell of Edinburgh to the place of justice, wher he was tryit be his pearis, of erlis, lords, and barrons, and be them all fund giltie of the haille poyntis of the dittaye, proponit and allegeit aganis him be the Lord Justice and the Kings Advocat, Sir William Olephant of Newtoun, knycht. The cheif prin-

cipall and maist substanciall article of his accusatioun was, the hunding out of his base sone Robert to intercep the Castell of Kirkwall, and his fathers palice of Birsca, to his behuve, aganis all persons whatsoever, without exceptioun of the Kings Majestie or his Lieutenant. And so this mater being verefeit aganis him, and he acknawlegeing himself giltie, referrit himself in the Kings mearcie and favour, wherein he trusted confidentlie, bot all for naught ; so as in the begynning of Februar nixt he was beheadit at the mercat place of Edinburgh, and all his honors, rents and lands convict to the Kings use for his attempt.

This Patrik Erle of Orknay was lang in favour with the King ; he had a princelie and royall revenew, and indeid behavit himself ther with sik soveraintie, and geve I durst say the playne veritie, rather tyranicallie, be the shaddow of Dence lawis, different and more rigorous nor the municipall or criminall lawis of the rest of Scotland ; wherby no man of rent or purse mycht enjoy his propertie in Orknay, without his speciall favour, and the same deir boght ; wherby it followit, that fitchit and forgeit faultis was so devysit aganis manie of them, that they wer compellit be empresonment and small rewaird to resigne ther heritable tytlis unto him ; and geve he had a steve purse, and no rent, then was sum cryme devysit aganis him, wherby he was compellit to lose ather half or haill therof, geve not lyff and all besyd. And his pomp was so great ther, as he went never from his castell to the kirk, nor abrod utherwayis, without the convoy of fiftie muscaters, and uthir gentilmen of convoy and gaird ; and siclyk before denner and supper, ther wer thrie trumpetters that

soundit still till the meat of the first service was set at table, and siclyk at the second service, and consequentlie efter the grace. He had also his ships directit to the sea, to intercep pirats, and collect tribute of uncouth fishers, that came yearlie to these seyis; wherby he maid sik collectionun of gret gunnis and uther weapons for weare, as no hous, palice or castell, yea all in Scotland wer not furneist with the lyke; and yit all this provisioun was spulyeit in his awin tyme, be the violent hand of the Erle of Caithnes.

During this same tyme and year, in the citie of Glasgow, ther hapnit a man, callit M' Johne Ogilbie, jesuit, to be apprehendit ther be the Archebischop and his men, becaus he was tryit sufficientlie to have sayed messe ther to sum inhabitants and citizens of that toun; and samonie as wer tryit wer all empreasonit in the Castell of Dumbarten, ther to remayne upoun ther awin expensis, and thereafter relaxit, and confynit for a pecuniall soume for contravening the Act of Parliament, and fand caution under great sowmes of money ather of them not to commit the lyk fault or cryme agayne. The Jesuit in the meyne tyme was convoyit to Edinburgh, and ther keapit in strait waird, and a gaird of men be the space of eight dayis, with small sustentatioun; and compellit and withhaldin perforce from sleap, to the great perturbation of his brayne, and to compell him *ad delirium*: And being convoyit therfra to Glasgow agayne, certen temporall questions wer objected unto him, as naymlie, geve the King was heid of the kirk within his awin dominions, or nocht: To the whilk, he answerit No, &c. and so consequentlie to uther thrie: For the whilks

he was put to the cognitioun of a jurè, and be them fund giltie of treasoun and leze majestie, and so was condemnit to be hangit to the death, whilk was also accomplieist : And so albeit the man was a priest, and had sayd mess aganis the Act of Parliament, he wes not challengeit for that, least it sould be devulgat that he sufferit for maters of religioun ; whilk moovit sum preachers at this tyme to object, that the caus of man was preferrit to the caus of God ; and thus wald rather have had him to have sufferit utherwayis, for contravening the lawis of the realme ; becaus at this day, altho' bishops be erected in the kirk, yit all the number of preachers who wer befor ther tymis, have not allowit therof, bot publeishit ther libels aganis ther estait, and so mak debait amang themselfis.

In the moneth of Aprile, the Metrapolitan of St Androis departed this lyff, in his awin castell ther.

In the moneth of Maij, Sir James Makoneill, eldest sone to umquhile Angus Makoneill of Dunnevaig, who was before condemnit for certen crymis committed be him, and for escaping furth of the Castell of Edinburgh, in cumpanie of Johne Lord Maxwell, as is before tauld, escapit now furth therof, becaus it was constantlie supponit, that he had gevin counsell be word and writt for the violent keaping of that castell ; and fearing the cryme sould have bene tryit aganis him be witnes, he tuik therfore tyme and occasioun to eschew unpuneist. This Castell of Dunnevaig was ombeset be certen of the Kings ships be sea, that nayne of the keepers sould escape that way, nor be furneist with vivers be sea.

And the knyght of Caddell, brother-in-law to the said Sir James, took in hand to ombeset the same be land, as he did, and wan the same: Sum of the preasoners he put to death ther, uthers he convoyit saiflie to Edinburgh, and the greatest nomber escapit be sea and became pirats.

In the meane sease, the Erle of Argyle having maid lang residence at court, and understanding that Sir James Makoneill was destroyand his lands and tennents, maid narrative thair of to the King, and obtenit ane ample commissioun of his Majestie to pas aganis him with fyre and sworde, and to apprehend him ather quick or deid as he best could, and so haisted himself towart Scotland with all spead for the purpose: His voyage maid no good success, as salbe, God willing, declarit heirefter at mair lenth, as the course of the historie may have place, to the whilk I remit the reader.

The nixt yeare, the King, for certen effairis and considerations 1616. mooving him, concerning sum enormeteis and factis done aganis him be Sir Robert Ker, his page of honor, and tharefore erected to be Vicount Rochester and Erle of Somerset, with manie uther officis of preheminance, sent for Alexander Erle of Dumferlin, chancellor of Scotland, and Sir Thomas Hammiltoun of Byning knyght, his secreter heir, to have ther opinions of the foresaid Erle, and for uther quyet and secret effairis that the said Erle had persuadit the King to do aganis his noble subjects of Scotland, as naymlie aganis the just airis of the Erle of Bothwell, the Erle

of Orknay, and the Lord Maxwell; and be ther remayning at court, the Erle of Rochester was more straitlie keapit, examinat be the Chief-Justice of England, fund giltie, and therfore condemnit to be hangit; bot the tyme therof was delayit. The ayre of Bothuell was sent for to court, to be restorit to his fathers rents, bot not to his titlis or stylis. The ayre and brother to the Lord Maxwell was also, be the Kings benevolence, restorit to his brothers rents, bot to another title and greter. To the airis of the Erle of Orkney wer gevin sum lands in Yreland, wherupon his brother sould byg a strong hauld, and obteyne tennentis to inhabite his landis and possessions, and to be obedient to the Kings lawis and statutis.

Great and dyverse complaynts wer maid to the secret counsell aganis the Erle of Caithnes, and he being cetit for the same, knawing that sum proovis wer to be summonit to verefie the caus aganis him, devysit this subterfuge, to send for the men, and cawsit a number of his men convoy them to a certen part wher they knew of na escaping, and cawsit them to be drownit, wherby no actuall proof sould be fund aganis his wicked dealing. In the meyne tyme, a nyctbour and cuntrieman of his, callit

Makky, took in hand to proove this fact of his, be the witnesses who wer the actuall drowners of the men, and thereafter past to the King at court, and verefeit the same. The Erle persaving all was lyk to go wrang with him, addrest himself also to court, bot was intercepted, and sent bak agayne be the procurement of the cuntrie man foirsaid; and a certen day being assignit

to him be the Counsall of Scotland to compeir, he remaynit lang in great secrecie in Edinburgh, and delt so subtelie with the Lord Forbes, whose cornis he had brint be the drowned men aforetauld, as the mater brocht to talking, the Lord Forbes was agreit to ressave satisfacioun for his brint corne ; but the other would give none of his geir, unles the Lord Forbes wald also procure the Kings remissioun for his saiftie, whilk was refusit, unles the Erle of Caithnes wald procure it be himself ; and so he reteirit from Edinburgh with great expeditioun. Bot the Lords of the Counsell cawsit apprehend his eldest sone in Edinburgh, and commandit him to enter his person in waird within the castell therof, ther to remayne till his fathers returne, to mak satisfacioun for his fact ; bot was soone relaxit therfra, to the common waird-hous of Edinburgh, wherin he is arreisted for greit sowmes of money ; and he understanding that his father was past af the cuntrie, he subornit the keepers of the commoun preasoun of Edinburgh to let him escape, and he wald bestow lairgelie of gold for their gudwillis. Bot the principall maister thair of complenit to the Secret Counsell, and he confessing the same to be trew, wes decernit to be straiter keapit.

The Erle of Caithnes, seing na uther refuge, randrit himself in the Kings will with mearcie ; and his Majestie decernit thus : That he sould give to the pairtie offendit 2000 markis : *Item*, That he sould renounce a pensioun of 1000 crownis that his Majestie was awand to him for beseageing the Castell of Kirkwall in Orkney : *Item*, He sould renounce his office of Sheriff in Caithnes :



*Item*, That he sould caus the Bishop to be answerit of his spirituall dewtie ther, and sould redres all quarrels and faultis to peax.

In the meyne tyme the King of Spayne, (as all Prencis ar covetous of superioriteis,) ombeset a certen toun pertening to the Venetiens, callit Verona, wherupon they of that commonweill, having their agent resident at London, complenit therupon to the King ; for the whilk caus, his Majestie directed Sir Richard Prestoun, Lord of Dingwall, toward the Venetiens, to knaw of them what just rycht they had to posses that toun, and also to deal with the King of Spayne for peax and concord, geve it mycht be obtenit.

In the moneth of Junii, the Marquise of Huntlie was ceted to compeir before the heigh Commissioun of Bishops haldin in Edinburgh ; and becaus of sum notorious enormiteis committed be him aganis the estableist religioun, he was committed therfore in waird within the castell of Edinburgh ; and these faultis being tryit be them, they adverteist the King therof, be ther missive letters sent be post, subscriyvit be the twa Archbishops and Bishops present in Edinburgh for the tyme, and my Lord Chancellor confirming the same be his subscription also. Bot within few dayis thereafter, the Counsell, spirituall and temporall, convenit agayne, and ther it was motionat, be the requeast and supplicatioun gevin in be the said Marquise, that he was written for be the King, and therefore his assertion provin be the Kings handwritt. It was voitted amang them, that the maist part assented he sould be set at libertie, and my Lord Chancellor being the od man of plu-

ralitie, assented to his libertie, wher not lang before he had subscryvit to his captivitie. For the whilk caus the Bishop of Galloway inveyit publiklie aganis him to the people of Edinburgh, assemblit at his sermon in the moneth of Julii nixt, and detracted him vehementlie, allegeing that the King had not writtin for the said Marquise : And albeit he had maid voyage towart the Court, the King wald not admit his approche, but gave him to chuse whither he wald remayne at Huntingtoun within Ingland in waird, or els to return in Scotland to that same preason wher he cam fra, ther to remayne ay and whill his Majestie wer surelie and certenlie adverteist be the Bishops, that he had satisfeit them in all poyntis of religioun, obedience to the King and kirk, &c.

In the end of this moneth, the Archibishop of S<sup>t</sup> Androis sent his missives to all the rest of the Bishops of Scotland, desyring ther presens at Aberdene in the moneth of August nixt, to try the said Marquise, and to examine all his freynds and kynnisfolkis wha ar suspect or dilated for the Roman religioun, callit Papistrie. And the King understanding heirof, sent word from Londoun, and wald not suffer anie assemblie of thers to be haldin, without the assistance of a Commissioner of his chusing, wha sould sit and occupy the rowme as thocht his Majestie wer ther present, and wald have the same callit a Nationall Conventioun, wherin maters sould be treatit according as he pleasit, bot not conforme to ther appetits, as the ministers wer wont to do before the erectioun of Bishops. The Commissioners for the King wer, the Erle of Mon-

trose and Sir Thomas Hammiltoun of Bynnie, knycht, his Majesties Secreter heir. This Conventioun was begun with prayer and fasting a day preceeding, and then preaching be the Archebishop of St Androis and another Bishop, and dyvers uther ministers of the kirk during ther remayning ther; wher also the Marquise of Huntlie, efter certen ceremoneis usit, pairtlie be the Kings letteris presentit unto them and opinlie red, he was sent for and callit in; wher he with humilitie kneilit, and soght pardoun of God and the kirk for his defection in tyme bygane; and becans he acknowledgeit that he embracit the wrang way, and now was resolvit to keap the rycht and trew way in professioun of religioun, he wishit and prayit them effectuellie to ressave him as a penitent, to relax him from excommunicatioun, and he promiseit and avowit ther before God and them, that he sould be a trew man in tyme cuming, and never declyne fra the same; whilk he also subscrivit, with a great ayth adjonit therto, for confirmatioun of a recent and new confessioun of fayth, whilk was pennit be Mr John Hall, minister of Edinburgh, and presented to the Commissioners be Mr John Adamsoun, minister at the kirk of Libbertoun. To conclude, he was prayit for and reassavit be the hand, be the Archbishop of St Androis, and the xxij psalme sung for joy of his conversioun, and conclusioun of the Conventioun.

Within the cumpas of this yeare, the Lord Roxburgh was installit Erle with all ceremoneis accustomat, and he wes honorat with the cumpanie of foure knychtis of his awin chuse; the Lord Chancellor sitting in the Kings place within the palice of Haly-

ruidhous, and doing to him as geve the Kings Majestie wer ther present him self ; but his eldest sone deit that same yeare.

And siclyk expres command was directed from court, to repair all common and straight wayis and passageis with calsayis of stane wark. The Kings palice was reformat with all expeditioun of maissons and wrycht wark; his chappell royall was decorit with organis, and uthir temporall policie; becaus his Majestie, be report, was to repair in Scotland the nixt year, God willing, and in respect he wald be convoyit and conducted be certen noblis of Ingland, he wald let them knaw that this cuntrie was nothing inferior to thers in anie respect : And therfore directed in Scotland Sarjand Bowy, his Symmoler of wynis, with a ship furneist therwith, to lay in the cavys of his palicis at Halyruidhous, and uther partis of his resort.

Prince Charlis, the Kings onlie sone, was be his Majestie installit Prince of Great Bretayne and Yreland, and honorat be the Ordor of Knychtheid and Ordor of the Garten : Lykwayis his Majestie directed ane Inglish noble man ambassador towart Spayne.

I maid mention afore of a gentilman, callit Makky, wha was the tryar and revyler of the Erle of Caithnes his enormiteis, wha had mareit to wyff the laughfull sister of my Lord of Makeinzie; bot as ylandestis men ar licencious, and desevers ane of another, so it befell of this gentilman ; for he was bot schort whyle returnit from court, and was renownit for his tryall of the actioun aforesaid, and remunerat therfore gracioslie be the King ;

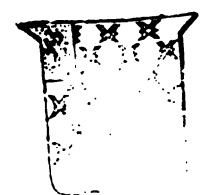
he fell, notwithstanding, in the fault of adulterie, whilk is expreslie forbiddin in the law of God, repudiat his awin laughfull wyff, and kepit another in hir contempt. For the whilk caus, the gentilwoman repairit heir to the secret counsell, and complenit of them baith, so as he was decernit and commandit to enter in preasoun within the Castell of Edinburgh, therin to remayne till he maid sufficient satisfioun to the kirk, and to ther ordinance.

1617. In the moneth of Merche the nixt yeare, ther fell out a debait in law betuix the Marquise of Huntlie and Francis Erle of Erroll, for slaughter committed be ane of the Gordons aganis ane of the Hayis; the whilk mater the said Erle of Erroll persewit straitlie be law and justice, to the death of the malefactor; and the Laird of Geicht was the man that was accusit criminallie for that mater; and albeit many dayis war drifted and intermitted, and that the said laird had fund cautioun to underly the censure of the law; notwithstanding wherof, at the Marquise of Huntleis procurement, ther was a letter sent from the King to delay that persute till his cuming in Scotland.

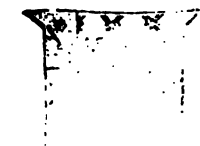
In the meyne tyme, the Estaits of this realme convenit in Edinburgh. It was proponit to them, the gret affectioun his Majestie had to visseit his native cuntrie, and that it was ther honour to defray all coistis and expensis he sould mak during his remayning heir; and therefore wishit, be the mowth of the Chancellor and his secretarie, to offer ane competent taxatioun of the

reddiest of ther guddis and geir for that effect ; to the whilk they assentit ; and therefore a Taxatioun of twa hundreth thowsand pundis wer ordanit to be uplifted from the people of all estaits. And becaus his palice of Halyruidhous was not so promptlie and pertenantlie apperlit as reason wald, and his Majesteis approche so near at Durhame, the Lord Secretarie was directed to desyre his Majestie to prolong his voyage hither till the nixt adverteisement. Bot his Majestie repairit within Scottis ground in the moneth of Maij, with the great rejoise of his people, and contentment of his awin mind.

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## APPENDIX,

CONTAINING

## VARIOUS READINGS.

SELECTED FROM THE MSS.



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## VARIOUS READINGS.

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*New. Newbattle MS.—B. Belhaven MS.—N. Sir G. Naylor's MS.—L. Rev. Dr  
Lee's MS.—Adv. Lib. MS. belonging to the Library of the  
Faculty of Advocates.*

- P. 2, l. 3.—whome the said Erle slew at that conflict.—*Car. B. and Adv. Lib.*
- P. 2, l. 5.—heighlie grievit in hairt that she tuik, &c. *L. and B.*
- P. 2, l. 9.—And when she had considerit of hir estait to be in gret danger of lyfe, &c.  
*B. and Adv. Lib.*—his estait to be in great danger of lyf *L.*
- P. 2, l. 12.—great distress of hir mynd for the hurt of the said Erle. *L. and B.*
- P. 2, l. 15.—a litill, and finding hir bodye opprest with seiknes *B.*
- P. 2, l. 19.—was resolut to rander, &c. *L. B. and Adv. Lib.*
- P. 3, l. 7.—they remayne haill and togidder *L. B. and Adv. Lib.*
- P. 4, l. 10.—Bot quhen he understude of this suddaine visitatioun, he addrest himself  
with expedition first to Edinburgh and nixt to Jedburgh ; notwithstanding quhair of he  
was not maid welcome as appertenit : And he perceaving that he addrest his journey to Stri-  
viling, &c. *L. and B.*
- P. 4, l. 21.—was a necromancer, and—*Car. L. and B.*
- P. 5, l. 12.—The abbot of Kelso, Mr Williame Ker, was alaine be his awin goodsone  
Ker of Cesfurde. *L. and B.*
- P. 6, l. 2.—quhilk was givin him to haist the end of his dayes : Sa that the Queene,  
whither it was for pittie or hypocrisie I will not dispute, &c. *L. B. and Adv. Lib.*
- P. 6, l. 21.—was fund distant from that hous be the space of a quarter of a myle. *B.*
- P. 6, l. 23.—bodies was expellit and demolisht *B. and Adv. Lib.*
- P. 7, l. 9.—loving and affable to all men and devote efter the Catholique maner, &c. *B.*
- P. 7, l. 15.—preachers speaking opinie in that matter to the prejudice, &c. *L. and B.*
- P. 7, l. 19.—compeir to avow it ; *L. and B.*
- P. 8, l. 1.—and yet returned sooner for advancement of his awin honor. *Car. L. and B.*

P. 9, l. 4.—aucht hundreth. B.

P. 9, l. 9.—devorcement to be led and separatioun proceid betuix, &c. L. and B.

P. 10, l. 1.—he maid semblance to leid her brydle; and sensible people interpret the same, &c. L. and B.

P. 10, l. 7.—seeme to receave to hir husband, a man that was not in the roome of a Prince, &c. L. and B.

P. 10, l. 20.—Erle of Marr, my Lord Home, Lord Sempill. B.

P. 11, l. 21.—quharby the myndis of the maist pairt of the people were inclynit thair way. B.

P. 11, l. 24.—disjoinit in myndis, &c. B.

P. 13, l. 10.—sittand on his kneis with his hands and countenance touart heavin.—*Car.* L. and B.

P. 14, l. 5.—and ther decernit to remaine in captivitie, &c. B.

P. 14, l. 10—16. “Thair was” — horsemen and futemen.—L. B. and Adv. Lib. *Car.* N.

P. 15, l. 9.—speciall warrandice B.

P. 16, l. 6.—in effect shew himself B.

P. 16, l. 18.—To approve all their doings was an ambassador, &c. L. and B.

P. 17, l. 22.—In the next moneth, Lord James Erle of Murray, a man of this factioun returnit from France in Scotland, quhairby it wes the mair easie to him to have access to the Queene. Scho was persuadit be these that were hir keeperis, and utheris intromettit for that purpois, to desire him to tak the governement of the countrie upoun him; to the quhilk he was sa easilie persuadit, that without great delay of tyme he coacted consent of the captive Queene the gude mynd of the factioners and his awin bent will, &c. B.

P. 18, l. 19.—she subornit a factioun of hir awin of the hous and freindship of Hamiltounes, and utheris in quhome shee confidit, L. and B.

P. 19, l. 13.—In the meane tyme the Regent Murray directed certane gentilmen to the seas to prosecute Bothwell, quhair he mycht be fund, and speciallie in Orknay, quhair he understode him to mak his residence. L. and B.

P. 20, l. 3.—The Regent with his counsall, &c. B.

P. 21, l. 4.—to the Regentis use. *Car.* L. and B.

P. 21, l. 22.—For the entres of the nixt year 1568 thair was exceeding derth of cornes in respect of scant in thecountrie, &c. L. and B.

P. 22, l. 13.—having the King of France, his maister, for his warrand, with sic factioun as they tua mycht devyse in Scotland and abroad. *Car.* L. and B.

P. 23, l. 4.—from the fortalice of Lochlevin. *Car.* L. and B.

P. 23, l. 19.—a fatal vertew appeerandly in that house: B.

P. 23, l. 24.—devydit the coitt amang thaim. L. and B.

- P. 24, l. 15.—within thrie dayis thereftir, &c. N.
- P. 25, l. 17.—*causis* of the kingdome: And thus they went from Hammiltoun upon the thretteint day of Maij, to pas touart Dumbarten. The Regent having intelligence heirof, causit, &c. N.
- P. 26, l. 9.—out of the field and past touart Dumfreis, &c. B.
- P. 26, l. 20.—be the hand of the Lord Hereis. N. *Car.* New. L. and B.
- P. 72, l. 15.—bar agayne within the Justice saitt in Edinburgh. B.
- P. 27, l. 22.—remayning at Dumfreis. B. and N.
- P. 27, l. 27.—bot all was convertit to thraldome and inimitie or all was done. N.
- P. 28, l. 8.—a tragicall end for a filthie caus, altho he semit to be a tryar of the same. N.
- P. 28, l. 13.—she was conveyit. N.
- P. 28, l. 22.—with her at Drumfreis. B.
- P. 29, l. 5.—Bot all this talk was spent in vayne. N.
- P. 29, l. 20.—sik was the unsatiable gredines, &c. N.
- P. 30, l. 4.—counsall, and that be commission of sik Lordis as lovit hir Majestie best at home, to desyre that Queene to be sa gude, &c. N.
- P. 30, l. 8.—bot they would not assent to that petition but with a deaf care. N.
- P. 30, l. 22.—and assegeit the castell; the newis wherof wer careit in Ingland both to Queyne Marie and Queyne Elizabeth: and this Queyne immediatlie sent sum subornit men to talk with Queyne Marie, not as thocht it had bene from hir, bot of their awin gude will and knaulege that they bure unto hir, declaring that she wald, &c. N.
- P. 31, l. 3.—done to diminisch hir factioun, and dissolve sik as wer bandit with hir in affectioun, to the end, &c. B.
- P. 31, l. 11.—bot Ingland be the contrar, never meaning nor understanding that the Regent of Scotlandis demand sould be refusit; towit that the Queyne sould, &c. N.
- P. 31, l. 19.—first ground in obliuoun. N.
- P. 32, l. 24.—complayntes *hinc inde*, war these; N.
- P. 33, l. 2.—hir rebellious subjectis. N.
- P. 33, l. 14.—umquhile King Harie was alayne be James Erle Bothuell, and that the Queyne marcit that same man who was the principall actor therof; and therefore to delyver the cuntrie from bondage, &c. N.
- P. 33, l. 19.—mater be oppin battell, &c. N.
- P. 34, l. 15.—Bothuell to have been the principall actor of that murther; whilk causit them tak occasioun to put them selfis in armes; for ansuer, this cannot excuse their disobedient and rebellious fact, &c. N.
- P. 35, l. 1.—assisters in punisching the said Erle for that and dyvers, &c. B.
- P. 35, l. 13.—sa obscure, N.
- P. 35, l. 18.—and Mr Henrie Balnavis. *Car.* N.

- P. 65, l. 21.—of wyse godlie men. N.
- P. 66, l. 1.—brynt to assis and so he departed this lyff, &c. N.
- P. 67, l. 7.—the pure people. N.
- P. 67, l. 12.—Queyne of Scotland, nather be hir favorers at home. Therefore, &c. N.
- P. 67, l. 20.—in medicin. N.
- P. 67, l. 22.—bot ahe obtenit na libertie for all this. N.
- P. 67, l. 26.—they ment to returne, &c. N.
- P. 69, l. 11.—had notwithstanding omittit wilfullie, &c. N.
- P. 69, l. 26.—to sie and persave. N.
- P. 70, l. 6.—of ample rewaird, and a portion therof in hand, N.
- P. 70, l. 13.—na uther weapon, &c. N.
- P. 70, l. 17.—watchemen; so as be the frequent and havie incuming of the first nomber the passage was maid braid and easie to the rest. N.
- P. 71, l. 7.—with all her clothes and sylver vesshell at ease and laiser; this hapnit upoun the second, &c. New.
- P. 71, l. 11.—at the murther of the first Regent, Car. N.
- P. 71, l. 13.—maister of the king and hous at his pleasour. N.
- P. 71, l. 21.—constantlie with saif conscience; N.
- P. 72, l. 2.—articles of his trespassis, N.
- P. 72, l. 4.—askit God pardoun, N.
- P. 72, l. 6.—deidlie to lay a thing to his charge wherof he was saikles as he tauld before; as also the preist synnit deidlie aganis his awin vow and professioun to reveill anie manis confessioun. N.
- P. 72, l. 14.—And immediatlie thereafter, this nixt verse as ane antidot to the former, was affixt upon that same gibbet, the kirk dur, and the castell yet. N.
- P. 72, l. 24.—P. 73, l. 7.—“I maid mention, &c.”—“awin place.”—N. Car. New. L. and B.
- P. 73, l. 18.—out of Dalkeyth Car. N.
- P. 73, l. 26.—onlie, and the foirsaidis captens merchit to the Powburn, bot being fewer in number wer dung back agayne to the port of the toun, &c. N.
- P. 74, l. 21.—confirme and ratifie the former. N.
- P. 75, l. 4.—unto them, and they pennit sum articlis whilk they willit him to communicat to the Regent and his adherents, desyring them to condescend therunto, whilkis wer so strait as nather of the parteis wald fauld to uther, nathir condescend, &c. N.
- P. 75, l. 23.—as favorit the Queynis caus wer chosin. Johne Knox cheif preacher ther was fugitive from that toun, and reteirit to St Androis; in whose place was elected, &c. N.
- P. 76, l. 3.—tranquillitie and peax. N.
- P. 76, l. 10.—tua placis on ather syd of the streit and shot, &c. N.

P. 76, l. 13.—whilk was callit the cropping Parliament: *Car. New.*

P. 76, l. 23.—Regent was far past before; N.

P. 77, l. 2.—horse and fute without anie remorse or restitution: N.

P. 77, l. 4.—to Sheriffhall mure.— *Car. N.*

P. 77, l. 11.—At the whilk conflict wer thrie remarkabill men tayne preasoners, and fiftie soldiers and foure men slayne; bot few on the uther part. And indeid this conflict had bene greater, and of mair loss to Mortoun, geve ather the weather had bene fair, or the soldiers of Edinburgh had obtenit sufficiencie of gwn poulder. And as Captain James Melvin was distributing of the same for ther necessitie, ane of theme be mischance hapnit to let his lunt fall in the barrell, wherby the capten was brint to the death, and dyvers uthers with him to the great terror of the rest, and that was the caus of ther sudden departing from uthers. N.

P. 78, l. 17.—offences and sould sort with bag, &c. N.

P. 79, l. 18.—thais maters N.

P. 79, l. 25.—dischargeit and unburdenit himself of the same. N.

P. 80, l. 11.—the weillfayre of—*Car. N.*

P. 80, l. 14.—bot also to preach or pray at all in the toun of Edinburgh. N.

P. 80, l. 16.—and conducing of soldiers; N.

P. 80, l. 17.—Capten Mitchell, and another capten callit Weymis to convoy him ane hundreth soldiers, &c. N.

P. 81, l. 1.—Bot ere the rest could cum, &c. N.

P. 83, l. 19.—passingers bind to Leyth. Bot Johne, &c. N.

P. 84, l. 12.—being in the Regents ship wer tayne, N.

P. 84, l. 22.—keapit with a sure gaird, &c. N.

P. 85, l. 9.—stopping of veveris to be carcit to Edinburgh. N.

P. 85, l. 17.—parteis and in maters conforme and, &c. N.

P. 85, l. 20.—promesis geve they could be dissuadit to alienat, &c. N.

P. 88, l. 3.—burde clayth, and as youth is altogether restless, &c. N.

P. 88, l. 11.—that convoyit him evin to the death. And in the meyne tyme the soldiers of Edinburgh, &c. N.

P. 89, l. 26.—Lords, in this maner following. N.

P. 90, l. 4.—of sinistrous purpose. N.

P. 90, l. 13.—in the toun nor countrie, &c. N.

P. 91, l. 15.—the border men could not be withdrawin from ther theffrie, &c. N.

P. 92, l. 16.—Stewart of Garntullie, N.

P. 93, l. 1.—bot refection to man or beast; N.

P. 93, l. 5.—assault, and killit the cheif man of ther ennemeis under the King, and to have returnit in honor, &c. N.

- P. 93, l. 13.—that jorney. *Car. N.*
- P. 95, l. 1.—whilk was evill bestowit and sloppit the same at tua partis *N.*
- P. 96, l. 4.—fra thence to Flanders, and thereafter to France to advertis the King of the plattis, &c. *N.*
- P. 96, l. 22.—for the space of an hour, *Car. N.*
- P. 97, l. 6.—of the nixt accident: *N.*
- P. 97, l. 8.—randrit to them in the Lieutenants nayme, *N.*
- P. 97, l. 9.—be the Lady, and she burst furth *Car. N.*
- P. 97, l. 13.—death without mearcie. *N.*
- P. 98, l. 8.—was sa notorious to the Queynis factioun in Edinburgh, that, &c. *N.*
- P. 98, l. 21.—and Capten Smyth. *N.*
- P. 100, l. 6.—victorie butenis or revenge, they espyit a single gentilman ryding &c. *N.*
- P. 100, l. 13.—the Queynis factioun in *N. Car. New.*
- P. 100, l. 17.—shaw ther manheid, and as they ar ryding at the height of a village callit Broghtoun, &c. *N.*
- P. 101, l. 5.—part, the Queynis factioun &c. *N.*
- P. 102, l. 1.—great commandement and credet, &c. *N.*
- P. 102, l. 12.—bed; what further was done unto him prevelie is uncertayne. *N.*
- P. 102, l. 25.—and maid a prisoner of the Lieutenant, the rest they convoyit to Leith, wher they were hangit without forder proces, and this forme of doing was callit the Douglas Wearis, and the soldiers of Leith tayne be the Queynis factioun, wer payit all conforme and that in sight of ther faes, baith &c. *N.*
- P. 103, l. 23.—thinking therby that they wer ather exprealie sent, or willinglie reteirit as spyis. *N.*
- P. 104, l. 4.—and tharefter the men of Edinburgh raisit fyre at the Seynis in the Burrowmure. *Car. N.*
- P. 104, l. 6.—and his courtiers. *N. Car. New.*
- P. 105, l. 21.—bot performance. *N.*
- P. 105, l. 23.—certen great geistis of aik &c. *N.*
- P. 106, l. 16.—new coyne of layit money, *N.*
- P. 106, l. 22.—staynis of the calsay, whilk reboundit aganis him, and this hurt was so deidlie that he deit, &c. *N.*
- P. 107, l. 10.—West Nodrie. *New.*
- P. 107, l. 15.—And the hous being straitlie persewit with gunnis, thais within talkit of composition. *New.*
- P. 107, l. 20.—consavit sik another opinion, that immediatlie, &c. *New.*
- P. 108, l. 1.—them to mak themselves lycht to escape the daynger of death, and thair wapons wer for the most part cassin away. *N.*

P. 108, l. 8.—lay in wait, and convoyit the soldiours to Corstorphin, &c. N.

P. 108, l. 15.—them freilie to pas wher they list with thankis, and becaus this was sa proffitable to the toun, the soldiours ishit out sindrie tymis to certen grayngis &c. N.

P. 109, l. 21.—to stop him of further assault, and to reskew the hous; and he to stay ther further advancement in the cuntrie, consulted with the Barrons of his cumpanie of most trust, who thocht &c. N.

P. 109, l. 26.—this interpryse with farther diligence and force, they thocht, &c. N.

P. 111, l. 3.—threttie nyne of thair gentilmen slayne.—*Car.* N.

P. 111, l. 8.—therby, and this stratageme was done, &c. N.

P. 112, l. 18.—The townismen acceptit the petitions verie humblie, and desyrit &c. N.

P. 112, l. 25.—seing they were unacquaintit with sik formes. And as to his last petition, geve it sould pleas him in consideratioun of the povertie of that toun, to nominat sum small sowme, they sould stryve with diligence to obtene the samen, and bring to him with all humanitie and reverence, so as when he declarit his will of the pecuniall sowme, it was brocht to him without further delay: and so they departed home with peax and joy, and the Lieutenant repairit agayne towart Glenbervie, fra whence he first came. N.

P. 114, l. 3,—5.—“and besyd,” &c.; “fare feild.” N. *Car.* New.

P. 120, l. 6.—and qualeteia. N. *Car.* New.

P. 120, l. 18.—Edinburgh, in respect of the incessant pryd of the uther, and, &c. N.

P. 120, l. 19.—wher for greif of mynd, &c. N. *Car.* New.

P. 120, l. 23.—Efter him dyed Johnne Knox in that same moneth. L. B. and Adv. Lib. *Car.* New. and N.

*Ibid.* Bot Morton so handlit that mater heirefter, as he corrupted Tullibardin with ane office of estait to caus him renonce that part of his office, whilk he did for the better, and thereafter perturbit the said Alexander Erakin to have debarrit him, &c. N.

P. 121, l. 3.—remit yow. N.

P. 121, l. 4.—“The articlis,” &c.—P. 123, l. 6.—“premissis.”—*Car.* N.

P. 124, l. 8.—unworthie of anie present benefite. N.

P. 124, l. 23.—and therefore the Regent refusit flatlie to condescend, &c. N.

P. 125, l. 17.—blawin in the aere. Heirby, &c. N.

P. 126, l. 11.—under the payne of death. *Car.* N.

P. 126, l. 24.—so lang ther upon obtenyng the Queynis drowrie, whilk extendit to the renews of a haill yeare, whilk he careit saiffie to the castell, &c. N.

P. 127, l. 3.—brocht in ther for his part of the pelf, and Sir James &c. N.

P. 128, l. 8.—to be execut in the toun at the verie hour of supper, he exposit his soldiours to certen thak houssis &c. N.

P. 128, l. 23.—of peax, and be all their consentis, the toun of Perth was &c. N.

P. 141, l. 1. tua noblemen travellit, &c. N.



P. 141, l. 5.—wer so diffident of anie sik accident to fall out aganis them, as they wald not geve over for anie daynger as might ensue, &c. N.

P. 141, l. 23.—sik convenient partis, &c. N.

P. 141, 25.—so obstinat and repugnant to reason, &c. N.

P. 142, l. 1.—a braid cammea, &c. N.

P. 142, l. 13.—wer these ; foure Cannon Ryall, &c. N.

P. 142, l. 14.—nyne gross culverings. Car. N.

P. 144, l. 2—18.—over ; and this partie was the greatest and strongest ; and the capten persaving his partie to be the waitest, was resolvit to geve over the house in the Queyne of Inglands favors, and to hir Lieutenant, and not to the Regent, and to rander them selfis in ther will ; sua that upon the xxix day, &c. N.

P. 144, l. 26.—Within eight dayis thereafter, Secretarie Lethington, &c. N.

P. 145, l. 9.—The Bishop of Dunkeld was emprisonit in the castell of Blackness, Car. N.

P. 145, l. 23—P. 146, l. 13.—and ther hoids placit upon the highest wallis of the castell, so that be contracted peax and sevill punishment, wearis tulk an end for that tyme appearantlie ; and becaus the soldiers of baith parties had no farther action at home, the captens keepit ther bands haill, and sum of them past in Swadin, and uthers to Flanders, wher they behavit them selfis valiantlie. N.

P. 146, l. 16.—whare thay ottenit great spulyis. Car. N.

P. 146, l. 23.—ostages and pledgis, &c. N.

P. 148, l. 8—11.—trublis, whilk he willinglie did, bot he converted all that money to his awin use. N.

P. 148, l. 13.—people ; bayre heidit standing at the kirk dur, and the same at an eminent part, beggerlie cled with ane evill favorit sekcloth, as penitents, &c. N.

P. 148, l. 24—P. 149, l. 8.—“ For the Erle of Crawford, ” &c.—“ aganis the rest.” Car. N. L. B. and Adv. Lib.

P. 149, l. 15—22.—to apprehend him as he did, and conveyit him to Edinburgh, wher he sufferit for knaulege of King Henreis murther, and that upon the 24 day of September, and confest, &c. N.

P. 150, l. 1.—wha eatit flesh in forbidden tyme of Lent : N.

P. 150, l. 5—7.—And becaus he understood that my Lord Murrays wyff had a jewell of Queyne Mareis, he compellit hir be law to rander the same to him. N. and L. Car. New. B. and Adv. Lib.

P. 150, l. 16.—in the moneth of December, and so he repairit to France. N. L. B. and Adv. Lib. Car. New.

P. 151, l. 6.—Roman Calcul New.

P. 151, l. 7.—the noble Prince Car. N.

P. 151, l. 10.—Marie in great honour, a Prince sa &c. N.

P. 152, l. 22.—be Lord Johne Hamiltoun: N.

P. 154, l. 5.—confessit efter ther return home; and ther remayning heir was without Compulsoun, so as no uther gaird was appoynted to them then famous gentilmen, &c. N.

P. 154, l. 21.—unto him, who thereafter returnit to Ingland with glaidnes. N.

P. 157, l. 17.—Orkney and Zetland. N.

P. 157, l. 23.—“ then utherwayis,” &c.—P. 158, l. 2.—“ of his intent.” Car. N. L. B. and Adv. Lib.

P. 158, l. 14.—horsis, and great waigers layed down upon spead of ther feit. Bot Lord Johne Hamiltounis horse, whilk was bot of a mean stature in respect of ther great English geldings, overran them all a great way. N.

P. 159, l. 7.—thankis for his lyff saif, &c. N.

P. 159, l. 23—26.—bayth ther fat pursis and that be the advyce of learnit and experymented men of law in Edinburgh, and that for the breking and violating the common law of the cuntrie: and proceedit thus. First, &c. N.

P. 160, l. 8—19.—And his plattis war sa particularlie and severallie notefeit to these tua Erlis be sum freyndlie spyis resident at court; wherby it followit that be intercession of wyse gentilmen, the tua noblis wer reconcelit perfytlie and finallie in all poyntis, so as they met face to face, and conferrit so loovinglie with uther, as the report came to the Regentis earis, wherby fynding himself sa far disappoynted, he was greavit to the hairt; notwithstanding wherof he causit charge them *de novo* to compeir before the secret counsell, &c. N.

P. 161, l. 6.—and his spous Ladie Marie Levestoun. N. Car. New.

P. 161, l. 12.—or rather a new composition of gold or money for satisfacioun of his appetite.—N. Car. New.

P. 161, l. 23.—was brought to the tryall of a Juré for this interpryse he confessit, &c. N.

P. 163, l. 3.—The King ansuerit, that he was unable for weaknes and tender cage to accept of that place of governement, and geve so wer, I knaw not to what place to mak my resort. N.

P. 163, l. 6.—Edinburgh, baith for gude situatioun, fyne aere, and pleasant sycht of the feildis, the sycht of the sea and shippis ascending and descending. N.

P. 165, l. 1.—toun to have coft veveris, &c. N.

P. 165, l. 16—26.—or els longer geve he might, and as his supposts wer in exercesing of this purpose it was tentilie espyit, and yit a gentilman of reputatioun was murdreist among them, callit Erakin, besyd the hurt of dyvers uthers; and ther treasonable interpryse was postponit for that tyme. For remeid, &c. N.

P. 166, l. 6.—P. 167, l. 5.—first face. And the noblis convenit in counsell, concludit in a voice, that a parliament should be haldin in Edinburgh in the moneth of Junii nixt en-

sewing: And it was also concludit that foure of them could remayne with the King quarterlie, and uthers to be ordinar of the Kings counsell, and to sit in Edinburgh; bot when the tyme came, as it befell Mortoun to attend with his uther thrie, for the space foiraid, he strave for a more lairge tyme, and remanit in Stirling Castell with strong hand till the appoynted day of the parliament foiraid: He notwithstanding directed letters to the nobilitie to compeir in Stirling, and the parliament to be haldin ther, whilk the great number of them refusit. Bot the Erie of Montrose, &c. N.

P. 167, l. 23.—P. 172, l. 7. Car. N. L. B. and Adv. Lib.

P. 172, l. 15.—Stirling to Callendar. N.

P. 174, l. 7.—was subornit be Mortoun, maid the bancat to the haill number of Lords ther present, wher, whither be advyce of Mortoun, or what uther way it is uncerten, sik mightie poyson, &c. N.

P. 174, l. 24.—and wha had not obtenit pardon as yet for the same. Car. N.

P. 175, l. 11.—who Morton as his second convoyit to the turne. N.

P. 175, l. 17.—Pareis, wher he was thankfullie and courtesilie remavit be, &c. N.

P. 175, l. 22.—Within few yearis, &c. N.

P. 176, l. 3.—The Castell of Draffan was randrit. N.

P. 176, l. 15.—season, notwithstanding whereof ye sall heir, &c.

P. 176, l. 24.—the counsell wald not admit the giftis, &c. N.

P. 177, l. 6.—wher they wer convict for sclandring one of the Kings counsellors. N. Car. New.

P. 177, l. 9.—Thay war baith weill beloved of the common people for thair common offices. Car. N.

P. 178, l. 14.—under a foure corner cover of fyne purple velvet. N.

P. 178, l. 18.—chylde, and the servant that presentit the sworde to the King with the chylde. New. L. B. and Adv. Lib.

*Ibid.* This done, they presentit unto the King the sworde for the one hand, and the sceptre for the uther. N.

P. 179, l. 12.—plenteous liberalitie, distributing the same to all, &c. N.

P. 179, l. 22.—with brave tapesserie, payntit historeis, with the effigeis of manie valiant men N

P. 180, l. 2.—who wer acquaynted with the slaughter, &c. N.

P. 180, l. 5.—ten myllis. N.

P. 180, l. 6.—Lennox, and to enjoy the rentis of the abbacie of Arbroth, &c. N.

P. 181, l. 9.—sat on his kneis and sayd, that it was a competent and semelie mater for the King to sic, &c. N.

P. 182, l. 7.—eminent and heigh stone of the tolbuyth, &c. N.

P. 182, l. 15.—leve in libertie and lows lyff, &c. N.

P. 182, l. 18—P. 202, l. 22.—*The history of the period included in this portion of the printed work, is thus given in the Naylor MS.*

“ This Erle of Lennox, of whom I maid mentioun afore, obtenit sik favour of the King, that he was preferrit to all the nobilitie of Scotland for that tyme; for he bestowit on him a great part of the patrimonie that appertenit to the defunct Erle of Mortoun, and sumwhat appertening to Archebald Erle of Angus, togither with the rentis of the bishoprie of Glasgow and abbacie of Arbroth, and besyd all this was intitulat Duc of Lennox, and great chalmerland of Scotland.

The preachers of Scotland at this tyme wer at great height, and in suspicioun with this Duc of Lennox, that he sould corrup the yong King from the estableist religioun then profest, to the Romen religioun. And finding ane Capten James Steuart then capten of the gaird, to be in credence at court, of whom they had guid hoip to be sound in religioun as the sone of a religious noble man, to wit, the Lord Ochiltre; they began to be familiar and haymlie with him. This Capten James was an audacious arrogant man, effronted in all his actions. He obtenit of the King the tutorie of James Erle of Arran, laughfull and eldest sone to umquhile Duc Hamiltoun, wherby easelie and without impediment he possest all the rentis of the Erledome of Arran, Lordships of Hamiltoun and Kynneill, bayth becaus the said Erle was an idiot, and his brether baneist from Scotland be the Erle of Mortoun during his regentrie, without anie tryit cryme that could be allegeit aganis them; yit not content with this simple gift to be callit tutor of Arran, in respect of the absence of contradicters, he aspyrit to have the honors and title of the Erle of Arran, whilk aganis all equitie was auctoreist to him in Parliament; the laughfull heretor never declarit nor convict culpabill of anie cevill cryme. He committis adulterie with Dame Margaret Stewart, then spous to the Erle of Marche, a woman als impudent and arrogant as him self. This Erle of Marshe was brother germen to umquhile Mattho Erle of Lennox, first was Bishop of Caithnes, and a consecrat priest. Devorcement was led betwix the said Erle and his ladie, she being great with chylde to the said Erle of Arran. Breiflie, it was fund by the Judges ordinar, that the Erle of Marche was impotent, and had bene so at all tyme for the procreatioun of childrene: Therefore the marriage that before was conjonit betuix him and the said Dame Margaret was decernit null, and the Erle of Arran and she mareit immediatlie together.

Whill he contnewit thus in pomp, willing that nayne sould be ather above him, or equall in estait and reputatioun in court unto him self, began to disdayne the Duc of Lennox, and was alluterlie myndit to heve killit him, whilk motioun the ecclesiasticall number wishit effectuouslie; this intencion of his being tryit, he was commandit be the King to absent himself from court till he sould be better myndit. Bot within a certain tyme thereafter, sik reconciliatioun was maid betuix them, as the ministrie consavit sik hetred aganis them baith that could no wayis be quenshed, as heirefter sall appear.

In the moneth of Julij, 1682, Lord Francis Erle Bothwell returnit in Scotland, and took jorney toward Perth, wher the King was resident for that present. At this tyme certain of the nobilitie, with the ministrie, consulted together on this manner; that the Duc of Lennox, as great chamberlain of Scotland, should be perswadit to hold and proclaim chamberlain courtis to a certain day, to this intent, that he his punishing the people either be death or gude, he should the rather incur their indignation. The ministrie purposed to expostulate aganis his intent, and prophesie that his estate should decay; so that ministrie, nobilitie, and people should all concur to the exterminion of the Duc and Erle. And the King's Majestic should be detent apart from them both; who being then at St Johnston, it was devised, that the Duc should be sent to Edinburgh to haule his first chamberlain court ther; and the Erle of Arran being then in Kynneill, they should violentlie abstract the King from them both: And sune upon the 23 day of August, the King mynding to return to Edinburgh, was interrupted in his voyage by the Erle of Gowrie, the Erle of Mar, the Master of Glamis, the yong Lord Oliphant, the Lords of Lochlevin, Clack and Rister Wemyss, the Justice Clare, the Lord Boyd, Lord Lyndsey, the abbots of Dunfermling, Camakynell, Dryburgh and Paisley, the Prior of Pethiweyne, and Constable of Dundee, with the rest of their complices assembled in armes within the province of Strathern, to the number of thrie thousand men or thereby, convoyit the King perforce to the castell of Ruthven: The gentlemen of his garde violentlie put fra him. The Erle of Arran understanding of this suddenlie went over to have releivt his Prince; but he was als suddenlie apprehendit, and kept sure within the castell of Dupplin, and his armys tayne from him: his brother William Stewart evill woundit, and all their companies either hurt or spoiled. Thus the wyse yong King being effrayit, was deliberat to yeald to tyme, and als was constrainit be them to yeald to all their willis, desyrit that they wald grant him libertie of hunting, for he perswadit them that both he lykit of them selfis, and of their proceedings, and so dissimulatlie promiseit that he should not retein him self fra their societie, and so semit to neglect his hid wraith consavit aganis them whill he might do better.

The Erle of Gowrie, prince of this conspiracie, (as he was tryit for a greater heirefter) then Treasurer of Scotland, considering with himself, that be the baneishment of the Douglassis he had incurrit the wraith of the Erle of Angus being then in Ingland baneist, he thought expedient to forteffe his interpryse, and to molleffe the wraith of the Erle of Angus, that it wer gude to persuade the King to restore him to all his digniteis and rents. And to the effect this mater might the better be accomplieit, he wait to the Queyne of Ingland to travell be hir ambassador in this cace, becaus she was upon counsell of this foirsaid commotioun. Therefter upon the ellevent day of September, she sent in Mr Carie, sone to the governor of Berwick, and Robert Bowes, Treasurer of Berwick, as ambassadors, to treat of the common peax of the two realmis; to desyre the King to allow the proceedings of their foirnamit Lords, tending to the glorie of God as his preachers could declare, and to the



proffieit of the commonweill, as tyme wald try. And fynallie that for the Queynis requeist he wald geve pardon to Archibald Erle of Angus, and ressave him to peax; whilk was granted be advyce of his counsall at that tyme: His pardon was proclamit upon the first day of October.

Efter all this, the Duc of Lennox was unmercefullie baneist be this factioun, to return home to France in wynter.

Howsoone this forme of proceeding was notefeit in France, the Duc of Guyse being at that tyme in great favour at court, and a neir kynnisman to our King, immediatlie tuo ambassadors wer direct hither with all diligence to know the estait of the cuntrie, and geve the King was detenit captive be his subjectis aganis his will, that the King wald be reddie upon his adverteisment, to send him support of money and men for the suppressing of sik rebellis. And for securitie of this message, the ane ambassador callit Monsieur de la Mot Fenelon, Knycht of the St esprit, was sent be land throw Ingland; the uther callit Monsieur Meneville, was directit be sea: They came baith in Scotland in the moneth of Januar in the nixt year, 1583.

Monsieur de la Mot was shortlie depeshit with his ansuer from court, be reason he was nather lykit of be the spiritualitie nor lords of the commotioun. Therefore, upon the ferd day of Februar, was bancatit be the magistrats of Edinburgh for his Bien allé, wherat the ministers of Edinburgh institute all that day to be employit in fasting and heiring of thrie severall sermons; and becaus the bancat began at ten of the klok, they began ther first sermon that same houre, and so enveyit perpetuallie in all these thrie sermons aganis the King of France, his ambassadors, the Duc of Guyse, and aganis the magistrats of the tou of Edinburgh for geving of the feast.

The uther ambassador having the lyk commissioun, abaid a certen space efter, and travellit secretlie with the King to caus him assure himself of a certen number of the nobilitie and to reteir him owt of the cumpanie of them who held them in captivitie, the reddiest and best way he might: As also he sould call upon these men, in whom he had gude hoip, that be ther counsall and ayd he might puneis the fairsaids rebellious persons. But at this tyme the usurpit counsell travellis to dissuade the King fra the amitie or societie of France; allegeing that the freyndship of Ingland is more necessar and proffitable for him, and that it war gude he wer allyit with them in mariage, and to send an ambassador for this effect with offers; in the whilk commission Coronell Stuart was directed, and with him was sent a plausible ansuer from Ingland.

And altho the King bure fair countenance to all ther proceedings, yit his mynd was far in the contrar; for he desyrit licence to pas over to Falkland from Edinburgh to occupy himself in pastyme and hunting, whilk was granted; so that in the moneth of Julij, in great suddentie, immediatlie efter his dinner, he tuik jornay towart St Androis in post diligence, and logeit himself within the castell, wherin he remanit quyettie and straitlie a

certain dayis upon garde, whill sik noble men came to him for whom he wrote. Thus he delyverit him self from captivitie of the rebellious lords and the usurpit counsell aforesaid causit mak proclamatioun throw all the cuntrie, that none of his subjectis could repaire to him be the space of ten myllis without his speciall licence, unles they wald incur pameisment.

The newis wherof was suddenlie direct to the Queyne of Ingland, and thereafter she directed to Scotland Secretarie Walsinghame in the moneth of September to the King with manie reprochis: first, that he had baith writtin with his hand; and nixt that he had sent his ambassador to testifie that he was contented of this former commotioun, and now in the contrar had shawin himself unconstant.

The King was then accompaneit with his haill nobilitie of the trewest sort in great number; that war all peceable, obedient and honest. He answerit to the ambassador, that what he wrote at that tyme could not be imputed to him, because he was constrainit and compellit therunto, and did nothing of his will; with the whilk answer the ambassador was so contented, that he departed with satisfacioun of mynd. The gentilman was verie wyse, grave, and sober; and therefore tuk reason in gude payment, saying he thought not to have seen the King so deliberat as he fand him, nor yit accompaneit with sik a face of a court as he saw all the tyme of his remayning.

This sudden chaynege aforesayd was thought very strayinge be the factioners, wherupon the Erle of Gowrie came with all humilitie to the King, and on his kneis requyred pardon, and evin so all the rest; and ther pardons wer granted be the worde of a Prince conditionallie, that they sould all retein themselves furth of the cuntrie, and remayne absent during his will. The Erle of Angus was chargeit to remayne in Angus, and the Erle of Rothes was sovertie for his residence, and that he sould not escape. The Lord Boyd, the Barrons of Lochlevin and Eister Weymis past in France. The Erle of Mar, the Master of Glamis, and the thrie Abbots past in Ingland. The Erle of Gowrie drifted," &c.

P. 203, l. 8.—P. 204, l. 3.—Therefter the Erle of Gowrie is apprehendit in Dundee, conveyit to Halyruidhous, examinat, tryit, and being found giltye be his awin subscriptioun, is led captive to Stirling with the Kings armie, (that went for suppressing the rebellion of the saids Lords) tryit be his pearis and beheadit upon the ferd day of Maij at aught howris at evin or therby.

Thus the Erle of Mar came owt of Yreland, the Erle of Angus brak waird, the Maister of Glamis and the three Abbots, according to ther plat, convenit with thair forces in Stirling, at the appoynted day, surprysit the castell upon the morne; but er that day eight dayis wer constrainit to geve bakkis, as not onlie decaavit be them who had subacryvit to that band, as also be the forces of the King's armie, that came aganis them, and so fled in Ingland, and the castell was randrit. Certen of the cumpanie who wer deput to keep the

same, war hangit, uthers pardonit of their lyvis. My Lord Lyndsay, the Maister of Cassils, and the Laird of Coldenknowes ar committed to waird as suspect persons of this conspiracie. N.

P. 204, l. 4.—P. 205, l. 14.—*From Sir George Naylor's MS. It is thus given in the Newbattle MS.:* " And becaus the Ministers allowit of the factious proceedings, whilk the King and his Nobles thought and decernit to be treasonable, therefore the King first cawsit a Parliament to be haldin, whareby first the Lords war forfaitit for their treasonable doings, and the estait of Bishops was establist to be above the Ministers; and therefore all sik Ministers be this parliament war dischargeit to use any function in the kirk, as wald not acknawlege their ordinar Bishop, and reassave their admissioun be thaim; and in the meyne tyme their stependis war suspendit for the yeir bygane, and for this present yeir, 1584: As also the King," &c.

P. 205, l. 14.—P. 209, l. 7.—*This part of the work is thus shortly given in the Naylor MS.:* " Thus all maters in this realme semit fullie to be pacefeit, till upon the ellevint day of August, the Erle of Arran for Scotland, and my Lord Hunnisden for Ingland, be commissioun of both ther Prencis intreatit upon dyvers maters at the kirk of Foulden in Scotland secretlie, and upon the effect therof Patrik Master of Gray was direct ambassador to Ingland, wher he was so honorable reassavit as the lyk was sendlie hard of before. Bot the caus was scarcelie honest, as the end declarit; for ther he prevelie accusit the Queyne of Scotland, and allegeit certen of hir proceedings to tend aganis the estait of Ingland, and so she was beheadit as a traitor to that cuntrie, *contra jus Gentium*.

This year sum commotioun was raisit at a day of trewis haldin on the mydbordors betuix Sir Andro Ker of Farneherst knyght, warden for Scotland, and Sir Francis Russels for Ingland. Breiflie in the myds of the tumult, as the warden preissit to save the uther, and Sir Francis leaping on his horse was killit negligentlie bot not upon set purpose, that ever efter could be tryit: For the gentilman was weill beloovit for his gret modestie. The Queyne of Ingland being interest heirby, sent in Mr Witton hir ambassador, to compleyne of the injurie done, and allegeit that the fact was committed be the warden of Scotland, and at the special command of the Erle of Arran, sua that the Erle was committed to preason within the castell of St Androis, upon the 29 day of Julij, and the Lord Warden relegat to Aberdene wher he deit within few dayis efter of a bloodie flux: Bot the Erle of Arran was relevit shortlie."

P. 210, l. 18—25.—Bot Johneston within few dayis efter his libertie deperted this lyff for greif of the great victorie that his ennemie had obtenit over him. N.



P. 210, l. 23.—P. 212, l. 7.—*This part is thus shortly given in the Naylor MS.:* “Frederik King of Denmark sent his ambassadors in Scotland in the moneth of Junii, 1585, to repeat certain arrerageis that wer awin to the crown of Denmark, furth of the ylis of Orkney and Zetland, and to draw on a new consanguinitie betuix the tua realmis as efter hapnit in effect.”

P. 212, l. 14.—Mortoun, during his regentrie. N. Cancelled in New.

P. 212, l. 19.—Angus, who was then Lieutenant to the Erle of Mortoun in the cause foirsaid, &c. N.

P. 212, l. 22.—and past secretlie in England to the town of Newcastle, wher he delatis the mater how, &c.

P. 213, l. 16—24.—“The King,” &c., “aganis his Majestic.” Car. N.

P. 213, l. 24.—Therefter with all expedition this mater was so wrought and broght to pas, as first the money gevin to the Lords in England with common consent was gevin to the Lord Maxwell, &c. N.

P. 215, l. 18.—and thus escapit and eshewit the eminent furie aganis him. N.

P. 216, l. 23.—P. 217, l. 3.—“During the great part,” &c., “for hungar.” Car. N.

P. 222, l. 16.—punishment; and better it is for a commonweill to have few lawis weill keptit, then to have manie good lawis evill execut and far worse obeyit. N.

P. 224, l. 4.—that espyit the circuit of the town and portis aforehand. N.

P. 225, l. 7.—bot howsone she was perfytlie informit that our ambassadors wer entrit Scottis ground, &c. N.

P. 225, l. 10.—England, commissioners to behauld that tragedie. N.

P. 229, l. 4.—inimitie that fell out betuix the Erle of Crauford and John Lord Glamis Chancellor of Scotland, brother germen to the said Maister; and thir noblemen being bayth, &c. N.

P. 229, l. 11.—his tutor James Erle of Mortoun, &c. N.

P. 229, l. 13.—the sentence of death, &c. N.

P. 242, l. 2.—after the Kings returne. Car. N.

P. 242, l. 6—9.—“For the King,” &c. “dyvers yearis efter.” N. Car. New.

P. 243, l. 1.—the office men of Denmark, &c. N.

P. 244, l. 13—16.—“He was,” &c. “payne.” N. Car. New.

P. 245, l. 1.—on a new gallous that was erected forment the palice yett for that purpose; N. Car. New.

P. 245, l. 18.—Juge have respect mair to freyndship nor to equitie, the jugement is corrupted. N.

P. 246, l. 12.—as all Scottisemen knawis. N.

P. 246, l. 16.—to corrup and pervert all freyndlie tranquillitie, &c. N.

P. 247, l. 3.—Tarneway, as it were to provock a skirmish: The whilk when Murray considerit, commandit his men to shute, and with the first shot was slayne, &c. N.

P. 248, l. 15.—preason be the Kings command as use is in this realme, bot, &c. N.

P. 248, l. 20.—P. 249, l. 4.—“ be ane Killepatrik,” &c., “ keapit be him.” Car. N.

P. 249, l. 4—9.—“ At this fact,” &c., “ of all men.” N. Car. New.

P. 250, l. 20.—and Coronell Stewart. N.

P. 252, l. 25.—P. 253, l. 3.—“ For thir ar,” &c., “ unto golde.” Car. N.

P. 254, l. 4.—with certen of the gaird, and commandit them that he sould immediatlie be delyverit to hir, to be convoyit to the King and Queyne, wha war attending to speik him, whereunto, &c. N.

P. 254, l. 8.—agayne, (whilk befell not of manie monethis efter) for she closit, &c. N.

P. 254, l. 11.—loove as ye may suppose. N.

P. 254, l. 17.—for selling of woll and sheip skynnis; Car. N.

P. 255, l. 22.—craftismen of Edinburgh, N.

P. 256, l. 7.—be the prences of ancient tyme, N.—be the prence, New.

P. 256, l. 8.—unles the mater wer movit in presence of the thrie estaits in Parliament. N. Car. New.

P. 262, l. 22.—P. 263, l. 2.—and the burrowis of Fyff promiseist contributioun to the furnessing of a hundreth futmen. They concludit all in a voice, &c. N.

P. 264, l. 12.—lordship of Dalkeyth and erledome of Mortoun. Bot the former, &c. N.

P. 264, l. 16.—Lochlevin (who now enjoyis the title of the Erle of Mortoun) and his airis maill laughfull. James Erle of Mortoun, sumtyme Regent had to wyff, &c. N.

P. 265, l. 12.—erledome of Mortoun to appertene to Lochlevin, he is now intitulat Erle of Mortoun: Bot Maxwell retenis the honor, and the uther the proffet and commoditeis therof. N.

P. 265, l. 17.—his pupill his brothers sone videlicet is ayre to umquhile James Lord Torphichin Lord St Johne in Scotland, and knyght, &c. N.

P. 267, l. 5.—furth of Edinburgh (becaus that within the toun he could not weill performe his intent) beyond the rever of Forth; N.

P. 268, l. 21.—“ to whais he grantit.” Sic New. and N.—to quhais suit he grantit. L.

P. 272, l. 2.—quicklie in great nomber all in armure, and presented, &c. N.

P. 279, l. 4—18.—“ Bot the King,” &c., “ *Qui sua sorte contentus vivit.*” Car. N.

P. 281, l. 9.—castell of Down, whilk is a part of the patremonie of the erledome of Murray, and was, &c. N.

P. 281, l. 14.—P. 282, l. 13.—practise of thers, cawsit assemble the inhabitants of the toun of Lithgw, and the haill gentilmen of his court and garde, and with post diligence haisted to Sterling, and the gentilmen of his garde directed before to kill Atholl, inace they sould encounter with him. Bot he being premoneist, fled suddenlie: The uther tua

Erle, suspecting na evill to ensue, came ryding furth of Stirling to salute the King in the way: Bot they wer ombeset and almaist baith killit geve my Lord Johne Hamilton had not happelle and manfalle interceidit. They wer baith maid prissoners instantlie, and hardlie usit be the Kings words. N.

P. 284, l. 12.—article following, ending with extreme wearfayre.

P. 294, l. 8—10.—The Kings edict divulgat with advyce of his estaits, the 26 of November, 1593. All these that hes not professit, &c. N.

P. 295, l. 14—22.—“Maisters and Landlairs,” &c. “Being by part.” *Cur. N.*

P. 299, l. 6.—Graymis of Esk, and from the bellicous clannis of Scott, &c.

P. 299, l. 21—24.—“And his enemies,” &c., “awin glore.” *N. Cur. New.*

P. 299, l. 25.—P. 373, l. 16.—*This portion of the text, taken from the Newbattle MS. is thus very shortly given in Sir George Naylor's MS.:*

“Prince Henrie was borne the 19 of Februar, and was baptisit in Stirling be the naymis of Henrie Frederik, and installit Prince of Carrik.” See p. 301.

“1594. This yeare Bothwell maid a new invasion aganis the King, cuming in battell aganis him at Leith with sum border men conducted be captens, and chaised the Kings companie from the bray of the Wowmat thruch Dudingstoun, and to the park dyk of Halyruidhous, and then returnit peacablie to Ingland. See p. 304—306.

“Upon the thrid day of October, the kirkmen and the King maid choice of the Erle Argyle as Lieutenant, to invayd the Erle of Huntlie and Arroll, with his forces to ther exterminion. The battell was foghin at a place callit Bellinres, wher these tuo Erles resisted him forceblie, albeit with a small nomber, and the uther accompaneit with moe then ten thousand men. They chaised his companie, slew manie, wan ther baggage, armure and baners, and returnit saiffie home, saving that the Erle of Arroll was deidlie hurt, bot convalescit agayne.” See pp. 338—342.

“1595. Upon the 8 day of Januar, eight Lords wer chosin to tak ordour in all the Kings and commonweillis effairis and rents, whilk they governed so weill, as all the malefactors of Scotland wer terrefeit be them, and came in to Edinburgh, or uther townis, to tak order with ther creditors for fear of further molestatioun. And sik as wer addebtet to the King in fermes, or uther dewties, they satisfeit all in sik dew season, as was wonder to record, and the Prencis houshalds so sufficientlie satisfeit as the lyk was not in the Kings tyme before, nor ever sence, sa lang as he remaynit in Scotland. Bot the enormous people, invyous to rell and order, cryit out aganis them for tua causis; ane was, that sum of these men war not content of ther awin former officis, bot shifted fra ther predecessors ther officis to ther greif and discontentment: The uther was, becaus they appoynted sharp inquisitors at all mercats, and transported samekle to the Kings hous upoun meyne pryces weill payit as they thought expedient, whilk was ather les nor was afore or dewtie re-

quyrit. Notwithstanding wherof, at the yearis end, they maid so just compt and reckoning to the King and counsell of ther adois as they fred him of debt, and delyverit to him a superplus, and to the Queyne ten thousand punds, whilk she offrit in propyne to the King on Newyier day, and he the lyk: Alwayis they wer chayngeit, and the officis decayit. See p. 357.

" 1596. My Lord of Balclugh, accompaneit with a great cumpanie of border horsemen weill inarmit, entrit the castell of Carlill in Ingland perforce in the nycht, and ther conveyit owt Williem Armstrong of Morton towr, alias callit William of Kynmont, wha was wrang-oalie tayne be the Warden of Ingland at a day of trewis; and therfore be persuasion of the said Williams freynds he undertuik this voyage, and convoyit him so saiflie away, as the newis therof wer immediatlie careit to Elizabeth Queyne of Ingland; and she desyrit the King, be hir letter written to hir resident ambassador heir for the tyme, to enter him in waird within English ground, without hurt of his bodie or guds, for hir satisfaction of that prowde attemp and assailling of hir hous of strenth; and to pleas and pleasour hir Majestie he entrit the said Lord in Berwick with all expeditioun possible. And the Queyne fynding sik humanitie in the King, of her awin liberall courtasie releissit him back in dew and sufficient tyme." See p. 366.



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